The New REPUBLIC

A Journal of Opinion

VOLUME XXVI NEW YORK, WEDNESDAY, MARCH 30, 1921 NUMBER 330

Contents

The Week 117
Editorials
The Viviani Mission..... 119
The Tactics of General Atterbury..... 122
Press Censorship by Judicial Construction..... 123
Strachey's Queen Victoria..... 125
General Articles
Queen Victoria, I.....Lytton Strachey 127
The Labor Spy, VII.....Sidney Howard 129
The Mystery of Colonel Harvey.....
.....Edward G. Lowry 131
The Reparation Problem....John Foster Dulles 133
Correspondence 135
The Kid.....F. H. 136
Reviews of Books
Mr. Lansing's Book.....Walter Lippmann 137
The New Spirit.....F. H. 139
Selected Current Books 140

The Week

SOVIET Russia stands in a stronger position today than at any time since the Bolsheviki first seized power. Whatever internal disturbances there may have been—and there is every reason for surmising that their importance was slight—have been quieted with the collapse of the Kronstadt mutiny. Peace has been signed with Poland and with Turkey. England has entered upon a trade agreement which in effect recognizes the Soviets as a de facto government, and which in its preamble contemplates a formal treaty and complete recognition. It is reported that Italy is likely soon to follow England's example. No one need be surprised if Japan falls into line, as there is evidence that she is becoming disillusioned of a military adventure in Siberia that can never yield anything but costs. What the United States will do remains a matter for speculation. Washington dispatches retain the old color of émigrê inspiration. But that there is a growing tendency on the part of ruling class America to turn its back on the policy enunciated by Mr. Colby is shown by the increasingly cautious tone of editorial comment in the conservative press on the Russo-British agreement. Note this passage in a Times editorial of March 21: "That a faction in the Bolshevist oligarchy has long wanted to turn respectable, and that Lenin inclined toward this faction, is well known." When the Times thus begins to climb down, the high perch is not heavily tenanted.

COMPLETE mutuality characterized the Anglo-Russian agreement. Each party to the agreement receives what amounts to most favored nation treatment at the hands of the other, so far as port dues, customs and taxes are concerned. Each party will be represented in the territories of the other by agents enjoying in effect consular immunities and privileges. Each party engages to refrain from attacking the other by arms or by propaganda. And the preamble to the agreement contemplates the negotiation of a general treaty which would carry with it formal recognition. There remains only one obstacle to the renewal of trading relations on whatever scale underlying economic conditions would justify, and that is the possibility that the British courts may decide that Russian funds, transmitted in payment for imports, may be seized in satisfaction of the claims of British nationals upon the old Russian government. The British government professes the belief that the courts will decide that such funds are not subject to seizure. But the matter is to be tested out as soon as possible. If the test case goes against the Soviet government, the whole agreement breaks down, unless the British government finds a way out, either through legislation or through diplomatic action coming nearer to formal recognition.

IT has been the habit of the anti-Soviet propaganda to speak of the gold in the possession of the Soviet government as "stolen money." And in France the theory is held that the victims of the theft are the holders of the old Russian bonds. But the matter is not so simple as that. American citizens hold bonds of the French and British governments, but that does not make them part

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

owners of the gold reserves of those governments. If France and England proceeded to repudiate their national debts, no claim on the part of American citizens to the gold reserves would thereby be established. It would be ridiculous to speak of those reserves as "stolen money." As a matter of fact, nobody cried theft when Kolchak proceeded to spend for his own purposes nearly half of the Russian gold reserve. If it was stolen money in the hands of the Bolsheviki, what was it after Kolchak stole it from them? Britain, France, Japan and America all accepted that gold, without any qualms. And quite properly. By their dealings with him the Allied and Associated governments had recognized Kolchak's dictatorship as a de facto successor of the old Russian government which held legal title to the reserves. The question to be decided by the British courts is whether de facto recognition has or has not been accorded to the Soviet government by the trade agreement.

OPINIONS differ widely as to the amount of trade England will secure under the agreement. Russia needs immense quantities of manufactured goods, but wherewith will she pay for them? Her principal means of payment before the war consisted of credits arising from the export of raw materials and cereals. Nobody denies that production has greatly fallen off; can it recover in the near future? Or even if it did recover, would export go forward as before? We must bear in mind the fact that a considerable part of the pre-war trade consisted in the export of food that the Russian people bitterly needed themselves. The peasant no longer has to stint himself in order to leave a surplus for the landlord. Russian agriculture will have to become more productive than in the old days if it is to yield large exports. That is not impossible, but it involves time. On the other hand, the output of forest and mineral products may be rapidly increased, if the Soviet government induces foreign capital to undertake their exploitation. A vast country like Russia is likely to exhibit a great variety of trading resources that statisticians are not able to discover from their studies some thousands of miles away. It is frequently asserted that the British government was moved to negotiate the agreement by political considerations rather than economic. But it will be something new in history if the British do not turn the agreement to good commercial account.

"A GOVERNMENT" says Mr. Justice Clarke, "competent to wage war against its foreign enemies" is not "powerless against its insidious foes at home." This dictum, quoted elsewhere in the present issue as an expression of the animus which guided the Supreme Court in constructing a press censor out of the Postmaster General, throws a flood of light upon the changes which the war produced in American political psychology. American lawyers did not formerly think of government as a function which required strengthening against the nefarious designs of the people. They thought of it as a function so much more powerful than the power of the people that, if popular liberties were not carefully safeguarded, the government would assuredly overwhelm them. The lawyers thought of government, that is, as Mr. Lincoln thought of it at the end of the Civil War when he said: "It has long been a grave question whether any government not too strong for the liberties of its people can be strong enough to maintain its own existence in great emergencies." For Mr. Justice Clarke this "grave question" of Mr. Lincoln has ceased to exist. If only the government be strong enough to destroy its enemies, he does not much care whether it has become "too strong for the liberties of its people."

THE Chambers of Commerce of the United States have recently proclaimed the slogan: "More business in government and less government in business." It would appear from this proclamation that the American business man has less confidence in government as a Providential function than has the Supreme Court. But the appearance is delusive. The committee which invented this slogan misinterpreted the wishes of its constituency. American business of all kinds is clamoring for more government in business. The manufacturer demands a higher tariff. The farmer demands not only more effective protection but government aid in financing his credit requirements and his sales to foreign countries. The railroad security owners want the government to assist them in cutting out the wastes which are inherent in the competitive private management of the railroads. The engineers with Mr. Hoover at their head are proposing to reduce the present hideous wastes of unemployment and the like by plans which are all dependent on contributions from the government. When business confesses in this way its incompetence to manage its affairs successfully without calling in government, what reality is there in the demand for an increase of the business element in government? Government does not need an infusion of the waste and selfishness of private business. It already has that. What it needs is an infusion of the disinterestedness and realism of science.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

PERHAPS the most extraordinary recent example of calling in government to assist private business is contained in Governor Miller's New York City transit legislation. During the campaign Governor Miller, like so many other Republican speakers, was loud in his protests against the tendency to bureaucratic centralization which had prevailed during the war. Yet as soon as he assumed power, he introduced a bill which vests in an administrative commission powers to dissolve contracts made by popularly elected officials and to force popularly elected officials to obey administrative orders which are unprecedented in American legislative practice. His new public service commission will exercise as unlimited a grant of discretionary administrative authority as is known to the public law of any country. We doubt whether Prussian bureaucratic centralization ever went as far as Governor Miller has gone in his attempt to put an end to the transit deadlock in New York City. Of course the explanation is simple. This huge grant of administrative power is intended for the benefit of business. Its purpose is to save business men and investors from the results of a bad bargain.

MR. BONAR LAW may have resigned from the Coalition Cabinet solely because he was too ill to go on working, or he may not. Rumor persists in ascribing this act to his disagreement with Lloyd George over Irish policy. What is just as important as the possible truth of this is that Mr. Bonar Law is gone. For with him went the faithful Unionist leader on whom Lloyd George had so long relied for the discipline of his Unionist support. Will the Unionists, who are in so great a majority in Parliament, demand that the Ship of State steer wholly on a course their numbers make them think they are entitled to dictate? Lloyd George's real support seems to be founded on the Conservatives rather than the Liberals. The Cardigan election proves it: Here his candidate drew 14,000 votes, half of whom at least were Conservatives. The independent Liberals, who polled 10,500 votes in this contest, outnumbered the Coalition Liberals who supported Lloyd George by about 10 to 7. If Lloyd George feels the threat of a general election, where is he to turn for his support?

WHATEVER should be the result of a British general election, one thing is sure: the Labor vote would enormously increase. Labor has won eight seats in by-elections since 1918. But this figure is not so significant as the total Labor vote in all by-elections. From the London Daily Herald we learn that the same constituencies which in 1918 gave the Coalition, Labor and Liberal parties 411,800, 148,780 and 91,800 votes respectively, have in by-elections since then, given about 417,000 to the Coalition and 368,000 to Labor. This is an increase of 250 per cent in Labor's strength.

AS we go to press, the Upper Silesians have voted to remain with Germany by a majority of over two hundred thousand. Apparently the desperate intrigue and even terrorism practised by both sides did not prevent the mass of the population from recording its vote, and recording it decisively. But the population's choice does not settle the question: by the treaty the Allies must now draw these frontiers with due regard to the "wishes of the inhabitants." French officials, though saddened, do not admit that Silesia is lost to Poland: wherever the vote was Polish, they say, the land will probably be Polish too. One can imagine the confusion which would result from delimitation on such a principle, for in many cases towns which voted solid for Germany are islands in a sea of country districts which voted for Poland.

The Viviani Mission

FOR the second time M. Viviani, an ex-Premier of France and an eloquent and liberal French political leader, has come to this country on a mission of extreme and urgent importance. He came first soon after the American declaration of war against Germany chiefly for the purpose of bringing home to the American government the imperative necessity of sending at the earliest possible moment the largest possible number of troops to France. The American General Staff had not decided at that time to concentrate all its efforts on organizing with the utmost celerity a large expeditionary force. He convinced the President and his military aids that if Germany was to be defeated they must do all they could to reinforce the Allied armies. It was the success of M. Viviani's first mission which quickened the American military effort and enabled this country in the spring of 1918 to go to the rescue of the Allies with the millions of new soldiers whose presence in France saved the Allied cause from probable defeat.

He comes in the spring of 1921 on a very different mission. His object now is to negotiate a better understanding between America and France as to the desirable political consequences of their joint military victory over Germany. A real understanding and agreement has unfortunately never existed. Mr. Wilson should have made some attempt in

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

May, 1917, to bring together the war minds of the two nations. No country in the world except America would have prepared to spend thirty billions of dollars and recruit three or four million troops as her contribution to a military coalition with whose objects in fighting she might not fundamentally agree, but that is what America under Mr. Wilson's leadership did. The President promised all American resources in money and men which it was possible to mobilize for service in France without asking the French government how far it accepted his own recently proclaimed program of American aims.

The consequence inevitably was misunderstanding and friction between the two countries. In May, 1917, there was a deep discrepancy between French and American objects. It turned upon the proposed treatment of the vanquished in case military victory enabled the Allies to dictate the future destiny of Germany. The American program, as defined by President Wilson in his April address, looked toward ultimate conciliation. He discriminated between the culpability of the German government and that of the German people. If they would repudiate their government, he promised the German people in the event of defeat fair treatment and the chance of recovery. His dominant object in placing American military and financial resources unreservedly at the service of the Allies was to bring about permanent pacification and to prevent the repetition of such an awful catastrophe. The French government, on the other hand, believed neither in the possibility nor in the desirability of conciliation. It naturally wished to prevent anything of the kind from happening again, but the means by which it proposed to protect western civilization from a repetition of the disaster was to destroy Germany as a positive element in the political and economic counsels of Europe. French political leaders regarded Germany as their incorrigible enemy. They proposed not to conciliate but to render her impotent. They had written treaties with their European Allies which in the event of victory would permit them to accomplish this result. The Wilson war aims blocked their way, but they were not asked to agree to the American program. As long as they could obtain unlimited American military assistance without discussing the discrepancies, they naturally did not volunteer dissent.

After the victory was won and the delegates of the Allied governments assembled in Paris, the conflict between the French and American program of peace threatened for many months to render the conference abortive. The conferees finally avoided a break, but they avoided it by a spurious combination in one instrument of the two contradictory programs. In the provisions of the Treaty the French won almost a complete victory. It furnished the French government with a weapon which could be used to emasculate Germany and render her political and economic resurrection impossible. In the League, on the other hand, Mr. Wilson was supposed to obtain an organ of ultimate pacification which would place a serious if not an insuperable obstacle in the way of future war. But Mr. Wilson's organ of pacification was a weak thing compared to France's weapon of retaliation. It might survive and serve, provided its members employed it in good faith to build a common foundation for future international security and to work out practicable methods of international conciliation and cooperation. But France did not enter the League with any such intention. Her statesmen have never pretended that in joining the League she committed herself to seek security for herself and pacification for Europe by the ultimate adjustment of her quarrel with Germany. On the contrary, the tendency and the clear object of the Treaty was to perpetuate the feud. Her attitude placed upon the League the impossible future task of conciliating irreconcilable national animosities, of correcting incorrigible grievances and of providing police protection for people whose belts bristled with knives and pistols. The French obtained the substance while Mr. Wilson obtained only the form; and he purchased French acquiescence in the form of a League by guaranteeing in the name of America the success of a Punic peace which violated his public promises to the German people.

Thanks to the Senate, America refused to ratify the Treaty of Versailles and so escaped, at least for the moment, the ignoble fate of solemnly endorsing the defeat of her own ideals. The refusal of the Senate was based, to be sure, less upon the vices of the Treaty than on the undesirable responsibilities which America assumed by joining the League, but among those responsibilities the one which the Senate liked least was that of the necessary future implication of this country in irrelevant and irreconcilable European quarrels. The refusal was extremely disconcerting to France—so disconcerting that the French government is sending M. Viviani to this country on a second mission chiefly for the purpose of persuading the new administration to revoke it. Ostensibly the object of his mission is to confer with President Harding and Secretary Hughes about the nature of a new society of nations which will avoid the Senate objections to the existing League, but the ob-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ject is so stated only for the purpose of accommodating French policy to the illusions of American opinion. The French are not interested in the League except as an unfortunate but at the time an unavoidable appendage to the Treaty. M. Viviani's mission can have only one real purpose—that of obtaining an American support for the existing and future coercion of Germany.

The new outbreak of war proves that the Treaty of Versailles was a Punic peace and that as a Punic peace it is going to be executed. The English attempt to modify it into a conciliatory instrument has collapsed. There is no remaining opposition which is capable of being dangerous except that of the United States. It is essential, consequently, for the success of the French plan to provide against possible American opposition. The execution of a Punic peace is costly. It will be extremely costly to the American people. They are suffering from an economic collapse which is at least partly due to their inability to sell their supplies abroad. The new war will prevent any recovery of European economic vitality. It will diminish still further the effective demand for American food and raw materials in Central Europe. It will also react unfavorably upon the ability of France and Great Britain to consume American products. It will increase the expenditures of the bankrupt European peoples on armaments. It will intensify the hatreds and fears which are expressed in tariffs as well as in armies and which interfere with economic intercourse and expanding production. It will arouse a general popular discontent which may eventually result in the exercise of political pressure on the American government to undertake, in the interest of a settlement, some kind of intervention. As long as the American nation is not one of the executioners, the authority and the success of the execution must remain questionable.

Of course M. Viviani will not proclaim that what he wants is American assistance in order to carry out the original French plan of reducing Germany to future political and economic impotence. France, he will declare, seeks nothing but justice and reparation. The object of the new birth of war is to force on a shirking Germany the payment to her victors of the barest compensation for her misdeeds. No doubt many Frenchmen believe in this account of French intentions just as many Germans believed in 1914 that their government was fighting a defensive war. Unfortunately the plain effect of their behavior falsifies the explanation. The method they are using, which is military coercion, is not adapted to the declared end of economic restoration. It is bound to inflame the resentment of the German people, to make them more than ever determined not to pay and to provoke in France a demand for the application of still severer and more destructive penalties. There is no telling how far the logic of a coercive policy will carry the French, but the more drastic they become the less they will succeed. It is impossible to collect reparations on the proposed scale without the consent of the German nation, and even if it were possible, such reparations would not avail to repair the damages. As John Foster Dulles so clearly shows on another page of this issue the Allies are waging war on Germany in order to wring from her a volume of commodities which, if delivered, would injure Germany without benefiting France. The new war and the policy which it serves are sheer sabotage. France can gain nothing from their success except by virtue of the damage she does to Germany.

These are hard words but it is necessary to speak plainly. The American people are not being accurately and sufficiently informed about the objects and the effects of the new war. They find it portrayed in the cables from Paris as an appropriate answer to an egregious default on the part of Germany and as a justifiable and well-considered means of repairing the damages. In spite of their suspicion of the wisdom of waging war in order to collect money, they may drift into accepting and supporting it as an inevitable and desirable method of ironing out the differences between the victors and the vanquished. But it is as far from being inevitable as it is from being desirable. By helping Europe to cancel the liabilities which keep alive the exclusive interests and the vindictive spirit created during the old war, the late American government could have rendered the new war unnecessary and the present government could now bring it to an end. The original American policy of conciliation is by way of dying, but it is not yet dead. It is the only policy which can heal the sufferings of Europe. Unless it is honestly and intelligently tried, one shudders to anticipate the distress which may in the next ten years overtake the European peoples. But it can be honestly and intelligently tried only under American leadership and with American assistance; and American initiative will never obtain a sufficient popular support unless the cause and effects of the Allied policy of retaliation are understood and its motives repudiated. That is why plain speaking is desirable. It has become the condition of convincing popular opinion in this country of the desirability of intervening in the new European war as an independent, friendly and powerful mediator and of the dangerous folly of intervening as an accomplice.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Tactics of General Atterbury

THE testimony of the chairman of the Association of Railway Executives, before the Railway Labor Board at Chicago shows the change of heart which the railway managements have suffered since the Esch-Cummins law was enacted.

It is now for the first time a matter of public record that the Association, on March 29, 1920, by a vote of 60 railroads to 41, repudiated its own labor committee, which advised a conciliatory policy toward the railway unions, and rejected its recommendation that the railways join with the unions in setting up national adjustment boards for the peaceful settlement of grievances. Instead the board adopted a fiery minority report of General Atterbury, (in which he alone of the committee members joined), breathing hostility to the Brotherhoods and vaguely prophesying syndicalism and ruin if the adjustment machinery set up during the war should be restored. Thereafter the executives were represented, in labor matters, not by Mr. Carl R. Gray, President of the Union Pacific, who since his association with Mr. McAdoo during the war has had a progressive mind on labor matters, but by General Atterbury, whose industrial philosphy is closely allied with that of Mr. Gary.

General Atterbury's melodramatic appeals to the Railway Labor Board were the first fruits of this new intransigent policy. With a fine show of impatience the General asked the board, without hearing evidence and without further deliberation, to abrogate the working rules established during the war and then retire from the controversy, leaving the railways to fight the matter out with their employees. The board's obvious answer was that its duty under the Transportation act was to decide controversies after hearing and deliberation, not before. After this flurry, the parties settled down after the manner of litigants to contest the issue before the board, namely whether or not national or regional boards of adjustment should be established, or whether each road should deal with its men according to its own sense of policy or power.

In another respect also the railways suffered a severe defeat before the Railway Labor Board. They asked the board, in determining wages and working rules, to take into account the financial condition of the railways. The board refused, saying that under the Transportation act, complaints as to the inadequacy of earnings must go before the Interstate Commerce Commission. The Railway Labor Board is only concerned with the justice and reasonableness of wages and working rules.

Upon the surface the ruling may appear to be merely procedural, but in reality it involves a fundamental controversy. The railways claim that they are entitled to a fair return on their property. If rates are too low to bring such a return, they must be increased, even if an increase spells ruin to shippers. If higher rates cannot bring a reasonable return, wages must be cut, and employees discharged, even if lower wages and unemployment mean starvation to the men and their families. This, and nothing less, is what the railways mean when they say that inadequate earnings must be taken into account by the Railway Labor Board. The receiver of the Atlanta, Birmingham & Atlantic Railway put this theory in a nutshell when he said that any order of the Railway Labor Board putting wages higher than the financial condition of the railways warranted would be unconstitutional.

On the other side is the claim of the employees that their right to reasonable wages and working conditions is at least as important as the railways' right to a reasonable return on the investment. A railway cannot reduce the price it pays for coal because its earnings are low. Why should it reduce the price of labor? Investors, when they put their money into railways, had certain expectations of profit, and took certain chances of loss. If the business was successful, the profit was theirs. If business was poor, and especially if it was so poor that it had passed the point where higher rates bring greater earnings, theirs was the loss. Why should they now try to shift that loss to the laborer, who is least able to bear it, who gets none of the profits of successful railway operation, and who never as a part of his bargain accepted the risk of loss from unsuccessful operation?

That is the heart of the present controversy between the railway companies and the unions. As a matter of economics, if not of strict accounting, there is a large national railway deficit. As long as present business conditions prevail, the railroads cannot earn enough to pay fair wages and a reasonable return on their investment. The railway officials themselves apparently admit that a further rate increase would not increase earnings, and might decrease them. Who is to bear the deficit, investor or worker?

We have no solution to offer. The policy of throwing the deficit upon the workers is condemned by its palpable injustice. Yet as long as the country depends upon private financing of its railway system, investors must have a fair return if the roads are to secure the new capital which they urgently need for their rehabilitation. The situation presents one of those hopeless dilemmas we cannot escape while we adhere to our present system of private financing and public regulation of railways.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Press Censorship by Judicial Construction

IF people truly acted according to self-interest, it has been observed, this would be a very different world. The dictum finds striking confirmation in the attitude of the press towards the recent decision of the Supreme Court in the Milwaukee Leader case. With few exceptions, newspapers have either approved, or have been indifferent to, a decision which immediately affects only a despised Socialist sheet, but which involves nothing less than the control of the press.

As the Milwaukee Leader had for weeks systematically carried matter which the Postmaster General deemed non-mailable, in September, 1917, he denied second-class postal rates to all future issues of the Leader. To deny mail service to a newspaper except at six times the usual cost of the service furnished to papers is normally, of course, to make its circulation impossible. The Supreme Court has now sustained this power of suppression in the Postmaster General. Our government, we are constantly told, is "a government of laws and not of men"; whence, then, is this power derived? Since the offending matter in the Leader was obstructive to the conduct of the war, was the power to deny second-class rates found in the Espionage act? No; Congress did not confer such power upon the Postmaster General even in that drastic war legislation. Was the Supreme Court, then, able to point to any general statute giving the Postmaster General discretionary authority over the life and death of a paper by denying it second-class rates in the future because of infractions of the postal laws in the past? No; there is no such statute. How then does the Supreme Court give the action of the Postmaster General the color of law? It does so by making two parallel lines of law meet. Let us trace this freak of legal geometry.

Congress from time to time by specific statutes has forbidden the deposit in the mails of certain printed matter. It seeks by this means to keep the mails free from publications offensive to decency or otherwise counter to the policy of the law, as for instance, matter violative of the copyright law or information concerning abortion. This legislation makes the use of the mails for transmission of papers carrying non-mailable matter criminal and also authorizes the Postmaster General to refuse to carry papers containing the non-mailable matter. But there is no law which, either by way of punishment or prevention, authorizes the Postmaster General to order that future issues of a past offender shall be refused transmission. The Espionage act enlarged the class of non-mailable matter; it did not enlarge the power of the Postmaster General in dealing with it. Violations of the Espionage act through the newspapers could be dealt with only as violations of Section 211 of the Federal Criminal Code, prohibiting obscenities, can be dealt with, namely, by criminal prosecution and by refusal to transmit the issues containing the non-mailable matter. In other words—and it cannot be emphasized too often—Congress trusted to criminal prosecution with all its Constitutional safeguards, and to a denial of the mails to the offending *thing*, but not to the offender.

Alongside of this exercise by Congress of its power to police the mails is legislation dealing with the cost of the mail service. Since 1879 a tariff of postal rates has been in force, graduated according to the nature of the mail matter. The second-class mail rate is confined to newspapers and other periodicals which possess the qualifications and comply with the conditions prescribed by Congress. The rate is very low and non-compensatory. "Justification for this non-compensatory service lies in the belief that education in its broad sense—intellectual activity fostered through the dissemination of information and of ideas—is essential to the life of a free, self-governing and striving people." Undoubtedly the Postmaster General, subject to a limited review by the courts, must determine whether or not a publication satisfies the conditions for second-class prescribed by Congress. Does, for instance, the Tip Top Weekly, each issue carrying a story complete in itself, or the Riverside Literary Series, meet the definitions of a newspaper laid down by the law? He must answer such questions; but there is not a scintilla of a suggestion in the Mail Classification act which makes the rating as second-class matter by the Postmaster General contingent upon the Postmaster General's verdict as to the legality either of the past or of the future issues of a newspaper. In other words, the low newspaper rate was not used as a means of policing the mails. "The question of the rate has nothing to do with the question of whether the matter is mailable." A newspaper is a newspaper, even though a Victor Berger edit it.

The Mail Classification act provides that a newspaper to be mailable at the second-class rate "must be regularly issued at stated intervals as frequently as four times a year," and that it must be "originated and published for the dissemination of information of a public character." Mr. Burleson held that if any issue of the paper contained matter violative of the Espionage act, the paper is "no longer regularly issued," and that it has likewise ceased to be a paper "published for the dissemina-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tion of information of a public character." Mr. Burleson certainly deserves high rank as a sophist. No wonder Mr. Justice Holmes makes short shrift of this contention by calling it "a quibble." The Classification act empowers the Postmaster General to determine whether a publication is a newspaper; it does not make him a censor of the press, nor qualify him to distinguish good newspapers from bad.

The majority of the Court sustains Mr. Burleson's order on a somewhat less specious claim. Inasmuch as the Leader was found by the Postmaster General to have violated the Espionage act in the past "it is a reasonable presumption" that the character of the publication will continue and, therefore, will continue to violate the act in the future. Nor would it be "practicable to examine each issue of a newspaper" to determine whether the issue is offending. "Government is a practical institution adapted to the practical conduct of public affairs." The menacing implications of the "practical" powers thus conferred by the Supreme Court need not be labored. Without warrant of express grant of authority to the Postmaster General the Supreme Court derives this terrific power solely through administrative necessity. The want of justification for this implication, Mr. Justice Brandeis effectively answered:

> In respect to newspapers mailed by publishers at second-class rates, there is clearly no occasion to imply this drastic power. For a publisher must deposit with the local postmaster, before the first mailing of every issue, a copy of the publication which is now examined for matter subject to a higher rate, and in order to determine the portion devoted to advertising. If there is illegal material in the newspaper here is ample opportunity to discover it and remove the paper from the mail. Indeed, of the four classes of mail, it is the second-class which afford to the postal officials full opportunity of ascertaining, before deposit in the mail, whether that which it is proposed to transmit is mailable matter.

And Mr. Justice Holmes with a few strokes of his pen brought down the house of cards of the majority opinion:

> When I observe that the only powers expressly given to the Postmaster General to prevent the carriage of unlawful matter of the present kind are to stop and to return papers already existing and posted, when I notice that the conditions expressly attached to the second-class rate look only to wholly different matters, and when I consider the ease with which the power claimed by the Postmaster could be used to interfere with very sacred rights, I am of opinion that the refusal to allow the relator the rate to which it was entitled whenever its newspaper was carried, on the ground that the paper ought not to be carried at all, was unjustified by statute and was a serious attack upon liberties that not even the war induced Congress to infringe.

It will not do to say that this issue concerns only the Milwaukee Leader, or the New York Call. Newspapers of high respectability not only may, but have, run afoul of the postal laws. The decision reveals a lethal remedy against their misbehavior—or rather the Postmaster General's finding of their misbehavior, for *there* is the rub. The Postmaster General, without court or jury, may find that newspapers are non-mailable. The old New York Herald, for instance, was convicted by a jury for sending systematically obscene matter through the mail in its "personal" columns. The Burleson decision would have justified "a reasonable presumption" by the Postmaster General that the character of the publication will continue and second-class rates might have been denied to the New York Herald. The New York World was prosecuted for libel by Mr. Roosevelt's administration. To be sure, this prosecution failed. But if Mr. Roosevelt's Attorney General had not denied the very power which the Supreme Court has now sanctioned, there is little doubt that President Roosevelt would have ordered the withdrawal of second-class rates to the World. It is a fact worth noting, that the World is one of the few papers which has pointed out the sinister significance of this decision.

For the present, the Espionage act of 1918 has been repealed. But there is no guarantee that it may not be revived in peace time and again forbid the publication of "any language intended to bring the form of the government of the United States or the Constitution of the United States . . . . into contempt, scorn, contumely or disrepute." An attack of Mr. Gompers's Federationist, or of Mr. Bryan's Commoner, upon the power of the Supreme Court to nullify legislation may easily be the basis of a finding by the Postmaster General that they are publications bringing the form of the government or the Constitution of the United States "into disrepute," resulting in denial of second-class rates and consequent guillotining of those papers. Or Colonel Harvey, upon his return from the Court of St. James, may resume his bizarre editing, and find a Democratic Postmaster General denying him second-class rates for publishing another offending cartoon. Little evidence is necessary to justify the administrative finding, particularly where the finding involves offences depending on opinion. Administrative partisanship and bigotry are poisons too subtle for detection by the process of appeal. It is for this reason that Mr. Justice Brandeis interprets the power which the Supreme Court has now conferred upon the Postmaster General as one making him "the universal censor of publications."

But there is an even deeper significance, if possible, to this decision than the control which it

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sanctions over the sources of public opinion. More perhaps than any of the decisions which the war has engendered, it shakes confidence in the judicial process. The New Republic has again and again insisted that behind so-called questions of "statutory construction"—what has Congress said, and what does its language mean, in terms of power—lurk great issues of policy. Instead of exercising a detached and disinterested calm, the Supreme Court seems to have been torn from its judicial moorings by the passions of the time. For the real basis of the decision apparently is that "a government competent to wage war against its foreign enemies," is not "powerless against its insidious foes at home." "Government" is a large abstraction for a little Burleson.

Against these fallibilities of the Court there is no simple panacea. We must look to a broader and more conscious legal education. "I cannot but believe," Mr. Justice Holmes has told us, "that if the training of lawyers lead them habitually to consider more definitely and explicitely social advantages on which the rule they lay down must be justified, they sometimes would hesitate where they now are confident, and see that really they were taking sides upon debatable and often burning questions." Above all, a sustained and informed public opinion must exercise a continuous critique of the decisions of the courts. Roosevelt's "recall of judicial decisions" was an inadequate mechanical recognition of the truth that the Supreme Court is not apart from but a part of our national life. The extent of the public understanding of what the Supreme Court does, and how the Court does it, will largely determine the Supreme Court's responsiveness to the best traditions and the deepest needs of the country.

Strachey's Queen Victoria

MR. LYTTON STRACHEY'S Eminent Victorians was published in May, 1918, about two months after Ludendorff had begun the onslaught which almost separated the British armies from the French armies, near Amiens; which in April carried the Germans well on their way toward Calais and Boulogne; and to resist which cost the British, in killed, wounded, prisoners and missing, about 300,000 men in six weeks. In May began that attack on the Chemin-des-Dames which took the Germans to the Marne. There could not be a worse moment for the appearance of a new author, yet the English edition of Eminent Victorians was reprinted five times before the armistice. No wonder Mr. Massingham wrote, in the Nation: "Mr. Lytton Strachey's Eminent Victorians has had, I suppose, the most instant success that any book of account has won in this generation."

Strictly speaking, Mr. Strachey was not a new author in 1918. Six years earlier his Landmarks in French Literature had appeared in the Home University Library, and delighted those English readers who are always on the lookout for the best things, by its brilliancy and solidity and penetration. Reading it now, in the light of Eminent Victorians, one notices certain points of likeness between the two books—a freedom from any sign that the author has got up his subjects in order to write about them, a quick and interested and searching eye for human character. Voltaire, says Mr. Strachey in the Landmarks, "was the most egotistical of mortals, and the most disinterested; he was graspingly avaricious, and profusely generous; he was treacherous, mischievous, frivolous, and mean, yet he was a firm friend and a true benefactor, yet he was profoundly serious and inspired by the noblest enthusiasms." Equally vivid is Mr. Strachey's picture of Voltaire's outside: "His long, gaunt body, frantically gesticulating, his skull-like face, with its mobile features twisted into an eternal grin, its piercing eyes sparkling and darting—all this suggested the appearance of a corpse galvanized into an incredible animation."

Mr. Strachey's Queen Victoria, parts of which, beginning with this number, we are going to publish in the New Republic, and for all of which we wish we had room, has the same air as his earlier books of having been written for his own amusement, out of a full mind. Once he has decided to write somebody's life, he must, no doubt, consult an authority or two for the sake of completing his knowledge. In fact we learn from his Queen Victoria that he has had access to the unpublished pages of the Greville Memoirs in the British Museum. But one does not easily imagine him "consulting an authority." One imagines him more easily as a prodigious reader for his own pleasure, as having soaked himself in his subject long before he saw it as a subject, and later, when he had made up his mind to do a life, as rereading here and there; as turning again, that he may quote them exactly, to passages he remembers as particularly characteristic of this man or that woman; as talking to the actors and observers who have given him that "private information" which he has put to such good use in his Queen Victoria.

It is partly from this fullness of mind that Eminent Victorians and Queen Victoria get their extraordinary richness and ease and mastery. Of "mere" facts, as distinguished from the facts that

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

are relevant and apt, there is no trace in Mr. Strachey's work. We find ourselves when reading him in possession of all the information necessary to a clear understanding of events, yet he almost never seems to be telling us anything which does not illustrate character. In the first years of the nineteenth century the chances were that no child of the Duke of Kent would ever be King or Queen of England. In telling us how the improbable occurred, how Victoria became Queen, Mr. Strachey turns a sudden light upon George III's offspring. It is upon character that he focusses his eyes, choosing the gesture, the letter, the phrase, the decision, the habit, the aesthetic preference by which men and women unconsciously paint their own portraits.

When we have said of a biographer that he knows how to choose, from a mass of material, just the traits which bring his idea of a person out in high relief, we have still to answer the question—does he conceive character in an interesting way? For a good many years now the modern consciousness has been gaining, one supposes, more and more power to keep together, as a rich and composite whole, elements so disparate that an older generation would have thought each of them certain to exclude all the others. Here is the open secret at the centre of Mr. Strachey's art. None but a mind that is modern after this fashion could have conceived and executed his Eminent Victorians or his Queen Victoria. Neither book, in spite of its clearness, will ever be really understood by readers who are not modern-minded. The irony and the wit keep them from seeing what else is there—the seriousness and profundity of these searching explorations of human nature, the sensitiveness which gives the brilliancy all its light and shade, the disbelief that such abstractions as "greatness" and "reverence" can perform a delineative function, the conviction that the human animal is all the more interesting, all the more deserving of analysis and representation, because he is so far from simple.

First to discover and then to show us what "greatness" is made of—such is one of Mr. Strachey's aims. And his stupider readers accuse him of showing us, though with superb force and point, only that great men and women are not great! In the oddest way they fail to recognize Mr. Strachey for what he is—a lover of clearness whose passion never tempts him to explain the inexplicable, a searcher of hearts who knows mystery when he sees it, and who uses it to give depth and distances to his picture. His men and women, with all their amusing contradictions noted ever so sharply, move against a background of death and time.

In Queen Victoria, as in Eminent Victorians, Mr. Strachey's analysis is so unsentimental that it makes sentimentalists cry with pain. That is one of its minor and funniest by-products. But a more important peculiarity, which all appreciators of Eminent Victorians have noticed, is that this analysis, although it takes people apart and exposes them, leaves them whole and alive. The organisms on which he operates are never supine on the operating table. They are up and about all the while the operation is doing. Mr. Strachey never checks the normal current of their lives. Thus he contrives, by an art quite his own, to scrutinize Queen Victoria minutely without retarding the narrative flow of her industrious progress from birth to accession, from marriage to death. And because she cannot be represented except in her relations to other people, and without a glance at her origins, Mr. Strachey paints her portrait by painting other portraits, amazingly brilliant pictures of her father, the Duke of Kent; of the three men who influenced her most, Lord Melbourne, the Prince Consort, Disraeli; of minor characters in her story—her uncle Leopold King of the Belgians, Lord Palmerston and Mr. Gladstone. Palaces, castles, rooms, furniture, all play their part in telling us what Queen Victoria was like. And we watch, too, the rise and changes of Victorianism, and the Queen's conversion to it. For she had to be converted. But for her husband's propriety, diligence, single-mindedness, ability and bad taste, the adjective "Victorian" would never have acquired its present meanings. For Victorianism, as Mr. Strachey shows us, was born where the Prince Consort was born, in Saxe-Coburg.

The New
REPUBLIC
A Journal of Opinion

PUBLISHED WEEKLY AND COPYRIGHT 1921, IN THE UNITED STATES OF AMERICA BY THE REPUBLIC PUBLISHING COMPANY, INC., 421 WEST TWENTY-FIRST STREET, NEW YORK, N. Y. HERBERT CROLY, PRESIDENT; ROBERT HALLOWELL, TREASURER; DANIEL MEBANE, CIRCULATION MANAGER.

EDITORS

HERBERT CROLY ALVIN JOHNSON
FRANCIS HACKETT WALTER LIPPMANN
PHILIP LITTELL

YEARLY SUBSCRIPTION FIFTY-TWO ISSUES, FIVE DOLLARS IN ADVANCE. SINGLE COPIES FIFTEEN CENTS. CANADIAN SUBSCRIPTION FIVE DOLLARS AND FIFTY CENTS PER YEAR IN ADVANCE. FOREIGN SUBSCRIPTIONS, FOR COUNTRIES IN THE POSTAL UNION, SIX DOLLARS PER YEAR IN ADVANCE; REMITTANCE TO BE MADE BY INTERNATIONAL POSTAL MONEY ORDER.

ENTERED AS SECOND CLASS MATTER, NOVEMBER 6, 1914, AT THE POST OFFICE AT NEW YORK, N. Y., UNDER THE ACT OF MARCH 3, 1879.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Queen Victoria

I

"A Marriage for the Succession"

[This first instalment of Lytton Strachey's Life of Queen Victoria tells of the incidents which led up to the marriage of the Duke of Kent,—the marriage of which Victoria was the child. The Princess Charlotte, only child of the Prince Regent and heir to the crown of England, has just died and it has become necessary for one of the sons of George III to provide an heir to the throne.]

THE fourth son of George III was Edward, Duke of Kent. He was now fifty years of age—a tall, stout, vigorous man, highly-colored, with bushy eyebrows, a bald top to his head, and what hair he had carefully dyed a glossy black. His dress was extremely neat, and in his whole appearance there was a rigidity which did not belie his character. He had spent his early life in the army—at Gibraltar, in Canada, in the West Indies—and, under the influence of military training, had become at first a disciplinarian and eventually a martinet. In 1802, having been sent to Gibraltar to restore order in a mutinous garrison, he was recalled for undue severity, and his active career had come to an end. Since then he had spent his life regulating his domestic arrangements with great exactitude, busying himself with the affairs of his numerous dependents, designing clocks and struggling to restore order to his finances, for, in spite of his being, as someone said who knew him well, "reglé comme du papier à musique," and in spite of an income of £24,000 a year, he was hopelessly in debt. He had quarreled with most of his brothers, particularly with the Prince Regent, and it was only natural that he should have joined the political Opposition, and become a pillar of the Whigs. What his political opinions may actually have been is open to doubt; it has often been asserted that he was a liberal, or even a radical; and, if we are to believe Robert Owen, he was a necessitarian socialist. His relations with Owen—the shrewd, gullible, high-minded, wrong-headed, illustrious and preposterous father of socialism and cooperation—were curious and characteristic. He talked of visiting the Mills at New Lanark, he did in fact preside at one of Owen's public meetings, he corresponded with him on confidential terms, and he even (so Owen assures us) returned, after his death, from "the sphere of spirits" to give encouragement to the Owenites on earth. "In an especial manner," says Owen, "I have to name the very anxious feelings of the spirit of his Royal Highness the late Duke of Kent, (who early informed me there were no titles in the spiritual spheres into which he had entered), to benefit, not a class, a sect, a party or any particular country, but the whole of the human race through futurity." "His whole spirit-proceeding with me has been most beautiful," Owen adds, "making his own appointments; and never in one instance has this Spirit not been punctual to the minute he had named." But Owen was of a sanguine temperament. He also numbered among his proselytes President Jefferson, Prince Metternich, and Napoleon; so that some uncertainty must still linger over the Duke of Kent's views. But there is no uncertainty about another circumstance: his Royal Highness borrowed from Robert Owen, on various occasions, various sums of money which were never repaid, and amounted in all to several hundred pounds.

After the death of the Princess Charlotte it was clearly important, for more than one reason, that the Duke of Kent should marry. From the point of view of the nation, the lack of heirs in the reigning family seemed to make the step almost obligatory; it was also likely to be highly expedient from the point of view of the Duke. To marry as a public duty, for the sake of the royal succession, would surely deserve some recognition from a grateful country. When the Duke of York had married, he had received a settlement of £25,000 a year. Why should not the Duke of Kent look forward to an equal sum? But the situation was not quite simple. There was the Duke of Clarence to be considered; he was the elder brother, and, if *he* married, would clearly have the prior claim. On the other hand, if the Duke of Kent married, it was important to remember that he would be making a serious sacrifice: a lady was involved.

The Duke, reflecting upon all these matters with careful attention, happened, about a month after his niece's death, to visit Brussels, and learnt that Mr. Creevey was staying in the town. Mr. Creevey was a close friend of the leading Whigs and an inveterate gossip; and it occurred to the Duke that there could be no better channel through which to communicate his views upon the situation to political circles at home. Apparently it did not occur to him that Mr. Creevey was malicious and might keep a diary. He therefore sent for him on some trivial pretext, and a remarkable conversation ensued.

Copyright 1921, Harcourt, Brace and Co., Inc.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

After referring to the death of the Princess, to the improbability of the Regent's seeking a divorce, to the childlessness of the Duke of York, and to the possibility of the Duke of Clarence's marrying, the Duke adverted to his own position. "Should the Duke of Clarence not marry," he said, "the next prince in succession is myself, and although I trust I shall be at all times ready to obey any call my country may make upon me, God only knows the sacrifice it will be to make, whenever I shall think it my duty to become a married man. It is now seven-and-twenty years that Madame St. Laurent and I have lived together: we are of the same age, and have been in all climates, and in all difficulties together, and you may well imagine, Mr. Creevey, the pang it will occasion me to part with her. I put it to your own feeling—in the event of any separation between you and Mrs. Creevey.... As for Madame St. Laurent herself, I protest I don't know what is to become of her if a marriage is to be forced upon me; her feelings are already so agitated upon the subject." The Duke went on to describe how, one morning, a day or two after Princess Charlotte's death, a paragraph had appeared in the Morning Chronicle, alluding to the possibility of his marriage. He had received the newspaper at breakfast together with his letters and "I did as is my constant practice, I threw the newspaper across the table to Madame St. Laurent, and began to open and read my letters. I had not done so but a very short time, when my attention was called to an extraordinary noise and a strong convulsive movement in Madame St. Laurent's throat. For a short time I entertained serious apprehensions for her safety; and when, upon her recovery, I enquired into the occasion of this attack, she pointed to the article in the Morning Chronicle." The Duke then returned to the subject of the Duke of Clarence. "My brother the Duke of Clarence is the elder brother, and has certainly the right to marry if he chooses, and I would not interfere with him on any account. If he wishes to be King—to be married and have children, poor man—God help him! let him do so. For myself—I am a man of no ambition, and wish only to remain as I am.... Easter, you know, falls very early this year—the 22nd of March. If the Duke of Clarence does not take any step before that time, I must find some pretext to reconcile Madame St. Laurent to my going to England for a short time. When once there, it will be easy for me to consult with my friends as to the proper steps to be taken. Should the Duke of Clarence do nothing before that time as to marrying it will become my duty, no doubt, to take some measures upon the subject myself." Two names, the Duke said, had been mentioned in this connection—those of the Princess of Baden and the Princess of Saxe-Coburg. The latter, he thought, would perhaps be the better of the two, from the circumstance of Prince Leopold being so popular with the nation; but before any other steps were taken, he hoped and expected to see justice done to Madame St. Laurent. "She is," he explained, "of very good family, and has never been an actress, and I am the first and only person who ever lived with her. Her disinterestedness, too, has been equal to her fidelity. When she first came to me it was upon £100 a year. That sum was afterwards raised to £400, and finally to £1,000; but when my debts made it necessary for me to sacrifice a great part of my income, Madame St. Laurent insisted upon again returning to her income of £400 a year. If Madame St. Laurent is to return to live amongst her friends, it must be in such a state of independence as to command their respect. I shall not require very much, but a certain number of servants and a carriage are essentials." As to his own settlement, the Duke observed that he would expect the Duke of York's marriage to be considered the precedent. "That," he said, "was a marriage for the succession, and £25,000 for income was settled, in addition to all his other income, purely on that account. I shall be contented with the same arrangement, without making any demands grounded on the difference of the value of money in 1792 and at present. As for the payment of my debts," the Duke concluded, "I don't call them great. The nation, on the contrary, is greatly my debtor." Here a clock struck, and seemed to remind the Duke that he had an appointment; he rose, and Mr. Creevey left him.

Who could keep such a communication secret? Certainly not Mr. Creevey. He hurried off to tell the Duke of Wellington, who was very much amused, and he wrote a long account of it to Lord Sefton, who received the letter "very apropos," while a surgeon was sounding his bladder to ascertain whether he had a stone. "I never saw a fellow more astonished than he was," wrote Lord Sefton in his reply, "at seeing me laugh as soon as the operation was over. Nothing could be more first-rate than the royal Edward's ingenuousness. One does not know which to admire most—the delicacy of his attachment to Madame St. Laurent, the refinement of his sentiments towards the Duke of Clarence, or his own perfect disinterestedness in pecuniary matters."

As it turned out, both the brothers decided to marry. The Duke of Kent, selecting the Princess of Saxe-Coburg, in preference to the Princess of Baden, was united to her on May 29th, 1818. On June 11th, the Duke of Clarence followed suit

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

with a daughter of the Duke of Saxe-Meiningen. But they were disappointed in their financial expectations; for, though the government brought forward proposals to increase their allowances, together with that of the Duke of Cumberland, the motions were defeated in the House of Commons. At this the Duke of Wellington was not surprised. "By God!" he said, "there is a great deal to be said about that. They are the damnedest millstones about the necks of any government that can be imagined. They have insulted—*personally* insulted—two-thirds of the gentlemen of England, and how can it be wondered at that they take their revenge upon them in the House of Commons? It is their only opportunity and I think, by God! they are quite right to use it." Eventually, however, Parliament increased the Duke of Kent's annuity by £6,000.

The subsequent history of Madame St. Laurent has not transpired.

LYTTON STRACHEY.

(To be continued.)

The Labor Spy

VII

Violence

THAT industrial espionage should produce violence is inevitable. The official records of the business are the records of labor violence. Pinkerton provided the armed guards for the battle of Homestead Mills in 1892 and provoked the only congressional inquiry espionage has ever faced. From that time to this, through every strike which has known violent manifestations, the detective, the spy, the provocateur and the gunman, all agents of the industrial detective, have had their roles to play. Espionage is the heart of the labor riot. Agents of Baldwin Felts ran the armored train in West Virginia and the armored automobile in Colorado. Detectives have never been cleared of the charges of guilt brought by the government investigators, in regard to the dynamiting of the depot at Independence, Colorado, in 1904, the attempted train wrecks in 1903, the murder of Governor Steuenberg of Idaho by Harry Orchard, the train dynamited at Calumet, Michigan, and the dynamite plants at Waterbury in 1920. Detectives were obviously and directly responsible for much provoked violence in the steel strike, the Centralia affair, the shooting at Everett, Washington, and in almost all the riots attendant upon the recent street railway strikes. It is a strange thing that these direct action employers of ours, these Garys and Woods, are willing to stake their reputations as citizens upon the acts of such men as these spies of industry and their cousins, the gunmen and the scabs.

The following is the conclusion of Mr. Luke Grant in the Report of the Commission on Industrial Relations:

> Espionage is closely related to violence. Sometimes it is the direct cause of violence, and, where that cannot be charged, it is often the indirect cause. If the secret agents of employers, working as members of the labor unions, do not always instigate acts of violence, they frequently encourage them. If they did not, they would not be performing the duties for which they are paid, for they are hired on the theory that labor organizations are criminal in character.

Thomas Beet, the English detective of Scotland Yard, brings an even heavier indictment.

> That there is a sinister motive behind the employment of these men has been shown again and again. Have you ever followed the episodes of a great strike and noticed that most of the disorderly outbreaks were so guided as to work harm to the interests of the strikers? . . . Therefore, instead of preventing these acts, it is to the interest of the employer that they should occur. In this, perhaps, lies, usually, the reason why private detectives are brought to the scene.

The present and recent situation in West Virginia, now in the courts, is an excellent example of the way in which the system works. Down there the machine guns of the war between miners and mine guards are the property of the Baldwin Felts Detective Agency. The street railway strike of Denver, August, 1920, is another case in point. The story of Black Jack Jerome's riot there is a perfect instance.

> The mob yelled, and the strike breakers in the car, who had sawed-off rifles, fired . . . A riot followed . . . The tramway company sent four cars out of the barns into the mob. The strike breakers in the cars were armed. A man in one of the cars shot into the mob, hitting a policeman. The mob was made up mostly of boys from fourteen to twenty years of age. Mr. Hild, the president of the tramway company, stated in the papers, the next morning, that "the street car employees were not responsible for the riot."
>
> The following day, Friday, the East Side Car Barn riots occurred. Union pickets were lounging on some stone coping about a park facing the car barns when an automobile drove up with a man in uniform in it.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

He stood up and, as he left the car, turned toward the pickets and fired directly at them; then, holding a revolver in each hand, backed into the barn and the doors were closed.

Soon afterwards people began to gather about the barn. Suddenly an automobile drove up and four men dressed in police uniform, stood up and fired at the crowd. Immediately firing began from the first and second story windows of the car barn. About thirty were killed or injured.

There were no more riots after the federal troops entered town. It was stated that General Wood had said: "There has been murder and the people responsible will suffer for it." General Wood did not deny the quotation.*

From an affidavit of one of Jerome's men an illuminating portrait is taken:

He stood up in an auto with a gun in each hand and escorted us to the south side barn. "Now boys, I want to tell you something," he said, "you have come here to break this strike. We are going to do it and when you shoot be sure and shoot straight. Those of you who have not arms, I will provide with arms."

The first night in the barns Jerome ordered us within hearing distance, saying: "Boys, we are going to start cars Monday morning. I am the whole thing. The tramway company can tell me nothing. This is my barn. Shoot craps, play cards, do anything you please. Your pay is going on. If you get into trouble while you are running cars, or get into jail, I will get you out. You know me. You know that I can do it. With reference to the money, boys, get the nickels. Get the money and don't forget for the conductor to split 50-50 with the motorman." †

Of the riot this quotation speaks as follows:

"Boys, I knew this thing was coming off. I have men in uniform out among the strikers, I know what is going on, I always will know beforehand. I have paid men out among the strikers."

The following verdict comes from West Virginia. [Investigation report of L. A. Lynch, 1912]:

Though the guard system was not the cause of the strike, it was without doubt the immediate cause of the fighting . . . The operators accepted the men the Baldwin Felts send them and asked no questions.

And so to the simple and unaffected gunman recorded in this amazing letter of William F. Dunn, the editor of the Butte (Montana) Daily Bulletin.

The Anaconda Mining Co. began to use gunmen in this locality early in 1914. Since 1914, a large staff of thugs has been constantly employed. It has been customary for the company to furnish the incoming sheriff with a list of names of these individuals who were sworn in as special deputies.*

The gunmen here are divided into two classes. There are the special deputies who hold some job with the corporation from mine-foremen down to time-keeper. Only a few of these men are actually dangerous. In addition to these, there are the professional gunmen who are generally secured either from the Thiel or the Burns detective agencies. The Thiel men are generally hired through the Spokane office but I have been unable to discover where the Burns men are hired . . .

In the great strike of 1917 the gunmen travelled in twos and threes on the streets. Nobody knows how many were on the payroll at that time, but it is safe to say that there were at least two hundred . . . In connection with the Frank Little murder, it is a mistake to believe that they were after Little in particular. They wished to murder someone who was well-known and popular with the miners in order to incite them to riot when the troops, who were already on the scene, could get into action with their machine guns, and drive them back to work. This is proved by the fact that on the night Little was hung, the same gang of thugs visited my house during my absence, they also called at Tom Campbell's house twice that night. These visits were made before they got Little . . .

. . .

In 1918 . . . two detectives—Shirley and Thorpe—. . . were working in the local branch of the I. W. W. Thorpe held the position of local secretary and Shirley was the most active of the members . . . One was a Burns man and the other a Thiel recruit—in the employ of the Anaconda Mining Company. The utterances of Shirley were the most violent I ever heard. This is an instance of how the "stools" can operate successfully and appear to be upholding the cardinal principles of working class doctrine . . . .

In the last strike of April, 1920, the gunmen resorted to their automobile tactics but they proved ineffective. On April 21st, a crowd of gunmen fired into a crowd of pickets without warning, killing two men and wounding nineteen. These men were all shot in the back, as they were unarmed and began to retreat when they saw the gunmen approaching. City police and regular sheriff's deputies were on the ground, but they made no attempt to arrest the perpetrators of this outrage. . . .

In this instance the local officers of the Department of Jusice cooperated with the company. They informed the gunmen of the time the picketing was to take place and there is more than a suspicion that some of the men who took part in the shooting were on the federal payroll . . . The places where these men were lodged is known and it is also known that the local federal operatives were in communication with them . . . There is at all times close cooperation between the company operatives and gunmen and the local department of justice and the city and county authorities. . . .

In the last months of the 1917 strike, I was compelled to make several trips to Great Falls where the Anaconda Mining Company's smelter is located. On one occasion we stopped over night in Helena—which is about half way—we were travelling by machine—and that night a carload of gunmen waited all night about two miles from

*Report of Alice Barrows Fernandez to the Cabot investigation.

† Affidavit of William A. Ingraham.

*As in Colorado, 1914.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Basin—a little town about twenty-five miles from Butte—and stopped every machine that passed. They might not have been waiting for us but that was our information.

On another occasion in Great Falls, I was returning from a meeting of the boiler makers where I had been urging a sympathetic strike. Contrary to my usual custom I was returning to the hotel alone and while I was passing a rather dark alley, three men sprang out at me. I had a .32 Colts in my coat pocket—with my hand on it—and I shot twice. Two of the men dropped and the third man ran. I ran down the same alley they came out of and went to my hotel by the quickest route. I expected to see headlines about the affair the next morning, but there was not a word. Instead there were headlines announcing that W. F. Dunn had disappeared and that it was believed he had been taken off a train between Great Falls and Helena. I immediately left for Butte and was met at Helena by one of my "body-guards" who gave me an envelope which had been sent to our headquarters and which contained one of the "Vigilante" notices written with red chalk. This notice gave me until August 12th to live . . .

Another time when a party of us was going to Anaconda—twenty-six miles from Butte—there is also a smelter there—on a lonely stretch of road where there are no houses for six or seven miles, an automobile load of gunmen pulled up behind us and began shooting when about seventy-five yards away. I was in the back seat of our machine with another electrician, who is a remarkable shot. We had, in addition to revolvers, a high powered rifle apiece. The gunmen had only revolvers and we promptly shot their engine in pieces. We then pulled out of range and shot off their tires. We did not try to hit any of them but it was certainly amusing to see them trying to get cover behind a piece of sage-brush about as thick as a man's thumb. We left and went on to Anaconda and needless to say there was nothing carried by the local press.

These incidents are all known to the authorities and to the public, but nothing is ever done about them. We have never emphasized these incidents in detail, nor the dozens of minor plots . . . because few people will believe them . . . I do not like to write about myself . . . I merely mention my personal connection with these matters in order to give you an insight into the local situation.

Such is the gist of industrial espionage,—the heart of so much labor trouble and the inspiration of so many horrors,—a thing at first approached by us incredulously but finally accepted as irrefutable. Anaconda confirms Calumet. West Virginia substantiates Colorado. The street cars of Denver are a parenthesis in the story of the Steel Strike. Espionage is something which we must accept, a substitute for industrial relations, covering the whole field of American industry excepting only those few cases wherein real industrial relations do exist.

The present purpose has not been to probe individual outrages. So intricate are the ways of labor spies that no authority short of Congress can ever reach the exhaustive and authentic evidence necessary to place the blame accurately and specifically. The present purpose has been merely to present an impartial description of the practice, told in the language of its own men. We find that it puts both employer and employee at the mercy of a power which is, at best, unscrupulous; that it lays labor open to corruption, misleads capital into folly, injustice and, often, actual crime; that it creates, wherever it appears, a turmoil of unrest and rage; and that it is at the very heart of labor violence. Industrial spies, "many of whom would commit a murder for two dollars," are undeniably the seeing eyes of more than one honorable American employer. The system "which could not exist in England" is undeniably a characteristic of American industry and a factor in our industrial problems. It is about as difficult to become a detective in this country as it is to get married or buy a license for a dog. This, in view of the detective's powers and responsibilities, is a curious thing. If ever there were a field for a Congressional investigation, an institution completely damnable, ethically, socially and economically, it is industrial espionage.

SIDNEY HOWARD.

(*The End.*)

The Mystery of Colonel Harvey

PRESIDENT HARDING, as he sits here at Washington in his daily habit, transacting business (which means for the most part receiving office seekers), is still the single object of bright and eager curiosity. He is unlike any President we have ever had before. The significance of this is in no wise impaired by the circumstance that it has been equally true of all his predecessors. Even the movie men, who are not gifted as students of politics or the conduct of public affairs, know that Mr. Harding is the overshadowing interest, for they have never left the White House since Inauguration Day. They come in battalions and set up their batteries outside the executive offices. Only a few of them have left.

Washington is never content until it knows all about the President, whoever he may be: his daily habits, his manner of thought, his pet foibles and weaknesses, all the little human qualities that go to make up the man, as he is at his ease. It seeks to discover his private habits, what time he gets up, whether he takes morning exercises in his bedroom, whether he shaves himself or has an attendant come in and perform that task for him,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

what he reads, what he does for his amusement and recreation, what time he goes to bed, his choice of intimate friends and on what basis his choice is made. All of these things we are trying to find out about Mr. Harding.

But particularly is the town curious about the President's friends, for it is already in these first days clearly seen that his intimates will color and give shape to all the activities of the administration. It is the definite opinion of all the experts in such matters that even more than Mr. Taft will Mr. Harding be susceptible to any friendly influences always at his elbow. That is why so much concern is manifested at the President's choice of cronies. This concern shows itself in a dozen different ways. For example, the one topic at every dinner table and in every cloak room pow-wow for more than a week has been: "Why is Mr. Harding so bent on sending Colonel George Harvey to England? Who is behind it? Who is putting him over?"

So far as anybody has been able to find out, it is the President's own idea. There has not yet been uncovered any Senator or responsible leader in the councils of the Republican party who is urging Colonel Harvey as ambassador to London. As a matter of fact, they none of them seem to want him; but when the Foreign Relations Committee of the Senate was polled by the White House by way of precaution it was quickly discovered that not one of the Senators would oppose the nomination if and when made. That is in conformity with the usual practice and convention to give a new President a free hand in the beginning.

Nothing that Mr. Harding has done in his brief tenure has evoked so much smothered criticism and opposition as has this proposed appointment of Colonel Harvey. The politicians and party men are opposed to it because they do not think that Colonel Harvey is much of a Republican, and the present order of the day is that only loyal partisans and attested party workers shall be rewarded with office. Further opposition comes from those who do not believe that Colonel Harvey belongs in the same gallery with Motley, Adams, Lowell, Choate, Hay, Bayard and the other eminent men who have represented this country in Great Britain.

Much of this feeling has been conveyed to the White House directly and indirectly, but I suspect that Mr. Harding is not aware of either the volume or the intensity of the protest. There aren't many persons who care to bring unpleasant news to a President and Mr. Harding is no more fortunate in this respect than other Presidents have been. All the same, the mere proposal of the appointment has made a leak in the reservoir of good will toward Mr. Harding which at the moment is his most precious possession, if he only knew it.

Mr. Harding's prime selfish interest is to see that this leak does not become a great fissure and drain his container in which there is so much present kindly hope for his success. He can do things now, and get away with them that will be impossible a year from now. Colonel Harvey's proposed appointment is a case in point. In my own experience in Washington, I do not recall a suggested nomination that has been received locally, and that means politically, with such sharp and general disapproval. That this emotion has not been more articulate and vocal is due to the simple and effective circumstance that virtually everybody here who is in a position to make his opposition felt wants something from Mr. Harding for himself or for his friends and is in no mind to imperil these private fortunes by crossing the President's path or thwarting his desires.

But with all the speculation and hushed dissent no one yet has explained satisfactorily why Mr. Harding is so intent on naming Colonel Harvey. The common reason given by gossip that, remembering Colonel Harvey's later attitude toward Mr. Wilson, in the long run it may be pleasanter to have him in London and attached to the administration than at home running his weekly, does not satisfy. It is too ingenuous.

Of course, all Mr. Harding's appointments are being closely scrutinized as a measure of his taste, his discrimination and of the type and character of men who appeal to his sense of fitness. It has been commonly remarked of them up to this point that, with some exceptions, there has been, as old Lord Melbourne observed about the bestowal of the Order of the Garter, "no damned nonsense about merit" in them. Industrious party workers have been chosen who have had convincing and solid political backing. In brief, small politicians recommended and supported by larger politicians. The "original" Harding men will not have to go out in the garden and eat worms for their subsistence, as did the original Wilson men. It may be as good a way as any to fill the jobs. At any rate, it is a familiar way, understood and approved by the people who have been given the mandate. That is why they are so puzzled and annoyed about Colonel Harvey. He doesn't belong.

In two lesser instances where Mr. Harding strayed from the accepted path he has been abruptly checked. He sent to the Senate the name of C. C. Madison to be district attorney for the western district of Missouri without consulting Senator Spencer.

That nomination died in the Senate and probably

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

will not be renewed. Senator Spencer went to the White House and as they say, "had it out" with the President. Again, John J. Esch was named for the Interstate Commerce Commission without notifying Senator La Follette. The Senate did not act when La Follette protested, though he is an isolated figure in the Chamber and without much, if any, voice in Republican councils. Still, he is a Senator; that was enough. In the same way either of the New York Senators could stop Colonel Harvey's nomination if they were so disposed. It was for reasons of state politics and state control that Senator Spencer acted. That does not hold true of the New York Senators and the Harvey case. They would have to oppose him on the ground of his qualifications.

If all the ambassadors, all the ministers, all the secretaries of embassies and legations and all the consular officers resigned in a body today there are enough applications on file at the White House to fill all their places and still leave a waiting list. This is equally true of the offices at home. For some inscrutable reason more people want to be Commissioner of Indian Affairs than ever before in our history. These are the people and these are the things that occupy Mr. Harding's days and test his metal. As he deals with them he reveals himself and as he discloses himself so will he be dealt by. Washington is taking his measure, or, as it is commonly phrased, "getting a line on the old man." Until this is done the bigger tasks will have to wait.

EDWARD G. LOWRY.

The Reparation Problem*

THE discussion concerning German reparation has passed through various phases. In the first stage, thought was centred on the question of how much Germany owed. Statistics were compiled to show the enormous havoc and ruin wrought by the German armies, and the question was debated as to the values in terms of which this damage should be computed. This phase then gave way to a second, in which the crucial question was deemed to be Germany's capacity. This, it was said, was the limiting factor in reparation. Germany should pay to the full extent of her capacity, the only question being what that capacity was.

Thought is now tending toward a third phase of the problem, which I trust will be the final and conclusive phase, namely, how much payment is the world willing to accept from Germany.

I, myself, have always believed that Germany's capacity to pay was very large. An industrious and intelligent population of sixty million persons, with a magnificent industrial equipment, can perform prodigies once it has a proper incentive. The United States by such an effort during the war period built up external credits at a rate which probably reached $8,000,000,000 per annum. This was done, to be sure, at a period of unusually high prices; but let us reduce our accomplishment by half, and again halve the result as allowance for our greater population and greater natural resources. Even this fractional remainder represents $2,000,000,000 per annum, a sum as large as any which it has been seriously suggested that Germany should pay. It is on account of such considerations as these that I have had little concern as to Germany's capacity. At the Peace Conference I was favorable to a higher indemnity than many of my associates; and I have no sympathy today with the German assertion that the recent Paris program involves an impossible economic effort. I have, however, recently been much impressed with the difficulty in finding economic values in terms of which the world will be willing to accept payment from Germany. It must not be forgotten that paying is a two-sided transaction: Every payment involves the passage of something of value from one person to another. There must be something to give; it is equally essential that there be someone to receive.

Now, we have had, to date, nearly two years' experience with the actual operation of the Reparation Clauses of the Treaty. The final amount which Germany is to pay was, to be sure, not finally fixed, but the Treaty did fix an initial payment of five billion dollars, to be paid by May 1, 1921, and various clauses of the Treaty fixed the manner in which this payment should principally be made. These provisions, which are embodied in annexes to the Reparation Clauses, deal with the German assets which at the time of the Peace Conference the Allies selected as being those which they were particularly desirous of receiving from Germany. So insistent were they upon the right to receive reparation in these particular ways, that they demanded specific Treaty provisions giving them, in effect, an option upon the German commodities in question. These economic values which the Allies were so keen to secure from Germany in payment of reparation were ships, coal, machinery and reconstruction material, chemicals and dyestuffs, and German labor; and I think it may be of interest to you, and illustrate the point I wish to make, if we consider the actual experience of the Allies with these forms of payment.

Let us first consider ships. At the time of the Peace Conference, it would have seemed incredible that the Allies should not want, by way of reparation, all the ships that Germany had or could produce. The shipping clauses of the Treaty were among the most stringent that were drawn. Under them, Germany was to surrender practically her entire merchant marine, and to construct ships for the Allied account at the rate of about two hundred thousand tons per annum.

A day or two ago, I talked with a banker who had just arrived from England, and I asked him about the operation of these shipping clauses of the Treaty which were designed primarily for the benefit of Great Britain. He said that the British government had endeavored to sell the German ships, and on account of the lack of demand

*Delivered at the luncheon discussion on foreign affairs, under the auspices of the League of Free Nations Association, New York City, March 12, 1921.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the offering of these ships had depressed the market price, so that those now buying German ships would get them so cheaply that the old established ship operators whose ships had cost them, say, sixty dollars per ton, would be unable to operate in competition with the new owners of ex-German ships, and would be compelled to lay up their boats. I believe actually about one million tons of British shipping is now idle. My friend further stated that the result of Germany's building ships for British account was to depress the British ship building industry so that labor was thrown out of employment and capital diverted elsewhere. In Hamburg, on the contrary, the shipyards were active and thriving, the German laborers were finding employment, and he prophesied that a continuation of the present situation would mean that in the course of a few years the British shipbuilding industry—one of England's great national assets—would pass away.

It is interesting to observe that the Allied reparation experts have now recommended the abandonment of the clauses of the Treaty which require Germany to construct new tonnage for delivery to the Allies. They also recommend that Germany be relieved from delivering further shipping which was in existence when the Treaty came into force, and even that some of the shipping which she has already delivered be returned to Germany. Certain it is that in future the Allies will not be prepared to accept any large number of German ships by way of reparation.

Let us pass on to coal. In coal there is probably one German asset which can be employed in reparation up to the full extent of Germany's capacity. This is certainly true for the time being, so far as France is concerned. Whether it will remain true after the Lens coal fields are restored and German coal comes into competition with French coal, will be another question. Even today, however, the problem of coal deliveries from Germany is by no means as simple as it seems. Cheap domestic coal and a steady export demand constitutes one of the most important sources of England's economic strength; and England—as a belligerent who herself suffered great loss—has very definite views, and a right to express them, with regard to Germany's reparation payments in coal.

If France gets great quantities of free coal from Germany, it means that French industry secures a marked advantage over British industry in the conversion of raw materials into finished products. It means that the British coal export trade will fall off. From the moment when the coal clauses of the Treaty were first proposed until the present day, there has been a constant divergence of views between Great Britain and France as to the amounts and prices for coal received by France from Germany. It has been England's constant effort—and, from her point of view, an entirely proper effort—to prevent France getting coal on a basis which would make it cheaper than British export coal. I surmise that the Spa arrangement under which France undertook to make a gold payment to Germany for German coal, was primarily due to British influence and to her desire to prevent France from getting German coal at a price much below that of British export coal.

However, coal may be accepted as one medium of direct reparation which may be taken by the Allies to the value of, say, $100,000,000 a year, for the next three or four years. Once, however, the French coal mines are reconstructed, it must be recognized that France's attitude toward German coal will be the same as the attitude of all the Allies toward German economic values which are directly competitive with their own industries.

Under the machinery and reconstruction material clauses of the Treaty, all of the Allies have had for nearly two years an option, within reasonable limits, on all such machinery and reconstruction supplies as Germany's great industries could produce. At the time when these clauses were being drawn, M. Loucheur, now Economic Minister in the Briand cabinet, stated frankly to me that these clauses were sought primarily for political effect. He stated that he was vigorously opposed to permitting Germany to supply the machinery and equipment to be reinstalled in the devastated regions. This, he said, would be to give Germany a stranglehold on the economic life of northern France, as, once German machinery was installed, all replacements and spare parts would have to be supplied by Germany, and orders for enlargements and new installations would similarly go to Germany.

That this statement correctly represented the French viewpoint, is shown by the figures for agricultural and industrial machinery which Germany has supplied to date. A recent report of the Reparation Commission showed that up to October, 1920, France had not accepted one single piece of machinery from Germany under Annex 4 of the Reparation Clauses. Belgium has taken a few thousand dollars' worth only. Thus, although France, Belgium and the other Allies have for many months had the right to get free of cost all such German machinery as they wished to order, yet they have in practice availed themselves of these rights only to the most insignificant extent.

With the dyestuffs situation, we are, I believe, all generally familiar. During the war the Allied governments encouraged the development of national industries in dyestuffs. Since peace, practically all of the Allied nations have taken steps to prevent the competitive import of German dyestuffs, which would destroy their newborn domestic industries.

There remains to be considered, labor. The French originally insisted, over a good deal of objection from the Americans, that they must have a treaty right to German labor for the purpose of actually restoring the devastated regions. Elaborate provisions were drafted requiring Germany to provide up to 500,000 laborers to work in the devastated regions under the direction of an inter-Allied commission. These provisions were eliminated at the last moment, as savoring too much of slavery. But Germany offered voluntarily to supply such labor, and I had the opportunity of participating in numerous conferences between the Reparation Commission and the German delegates when we sought to effect an arrangement whereby Germany could make reparation in this manner. After long and detailed discussion, the French government was compelled to reject reparation in this form, on account of the objections raised by the French labor unions to the importation of foreign labor.

This review will, perhaps, give a new appreciation of the complexity of the reparation problem. We have considered the use of German labor outside of Germany and have seen that it has been rejected. We have considered the use of German labor and materials inside of Germany to produce goods which will then be exported from Germany. We have seen that these arrangements in actual operation have not been satisfactory to the Allies, and that the amount of reparation in this form which they will accept will probably be very limited. We have considered the taking of ownership of what is located in Germany and not physically capable of removal. We have seen that the Allies are opposed, in principle, to doing this on any large scale.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

As to all of these matters, we have not speculated. We know the actual attitude of the Allies as developed and officially expressed by action during twenty months of experimentation. The summary of our conclusion is that the Allies are unwilling to take directly from Germany economic values in any large amount.

Now, if the Allies are unwilling to accept from Germany any large amount in values which Germany has to tender them directly, how can the greater reparation demands be met? The remaining possibility for us to consider is a triangular operation whereby other countries than the Allies will buy German economic values, the proceeds thus accruing to Germany therefrom to be transferred to the Allies in terms of a currency which is of such value that it can readily be converted into sterling, francs or lira, as the case may be, to meet the Allied reconstruction and pension budgets.

Now, when we say that the Allies themselves will not accept direct reparation from Germany in any large amount, but that they are counting upon the rest of the world's doing so, what is really meant by the phrase "rest of the world" is the United States. There are, to be sure, the European neutrals and South America, but the combined buying power of these nations is by no means large, and the currency of some of them is materially depreciated. It is the United States and the United States alone which has a population of sufficient numbers and wealth, a standard of living sufficiently high, and currency at such a premium as to constitute a medium for the payment of large reparation through such a triangular operation as I describe.

But will America complacently play this role? I believe not. We have had some experience with receiving German ships. For upwards of two years the Leviathan has lain tied to her dock, while many thousands of dollars are expended to prevent the rats from consuming her interior. We have had our experience with German chemicals and dyestuffs, and are at present rigorously preventing their importation under the only remaining exercise of war control, pending the passage of legislation which will permanently exclude them and protect our new dyestuffs industry. The President has just recommended an increase in our tariff, designed to prevent competition from foreign labor's maintaining a lower standard of living, and unquestionably the effect of this tariff will be to exclude to a great extent textiles and other imports, which Germany is peculiarly adapted to supply.

The Allies during twenty months of practical experience have come to a realization of the havoc which would be caused by receiving a great quantity of economic values direct from Germany. Their present attitude is perfectly clear to anyone who will carefully observe. I see no reason why our attitude will not be the same. I think it safe to assume that the United States is not prepared to offer herself as a medium through which German reparation will be paid, with all that this would involve in the flooding of this country with German goods, with a consequent depression of American industry and loss and injury to both capital and labor.

It is such considerations as these which lead me to doubt the practicability of the recent demands upon Germany. These demands probably do not exceed Germany's capacity. But capacity to give is immaterial unless there is a corresponding willingness and capacity to receive. It is from this latter point of view that the demands seem faulty.

It should not be inferred from this statement that I approve of the German course at London and disapprove of the Allied action on the Ruhr. This action is due not to Germany's failure to accept literally the demands made, but is, rather, due to the impression of evasiveness and insincerity apparently created by her counter-proposals. It may well be that severe measures are required to bring about a proper German attitude. This is more to be desired than gold. But let us hope that in the meantime the Allies will carefully reexamine their demands in the cold light of reason, so as to be assured of a formula which, when properly accepted by Germany, will actually achieve a permanent solution.

JOHN FOSTER DULLES.

CORRESPONDENCE

Upton Sinclair and the Weekly Review

SIR: The facts in the case referred to by Mr. Upton Sinclair in his advertisement in the New Republic of this week, to which you have kindly called our attention, are, in brief, as follows:

1. In the Weekly Review for November 3, 1920, there appeared a three column review of The Brass Check, by W. J. Ghent.

2. In our issue for November 24th, there appeared a letter of protest, one column in length, from Upton Sinclair, dated Pasadena, California, November 3rd.

3. In our issue for December 8th, there appeared an article by W. J. Ghent, nearly three columns long, dealing with Mr. Sinclair's charges against the Los Angeles newspapers. In that same number there appeared an editorial entitled The Case of Upton Sinclair, in which, among other things, we printed a long telegram which we had received from Mr. Ghent in which he protested that it was a "grave injustice" to him that Mr. Sinclair's letter should have been printed without giving him a chance to reply to it in the same issue. Mr. Sinclair lives at Pasadena and Mr. Ghent at Los Angeles. We accordingly made the following statement in the editorial:

> "In hastening to print Mr. Sinclair's letter without waiting to give Mr. Ghent an opportunity to reply in the same issue —which would have been the usual course in such a matter— we were actuated by the consideration that the delay of two weeks which would thus have been caused in the publication of Mr. Sinclair's denial might fairly have been regarded by him as an injustice in an issue of veracity so distinctly personal."

4. Mr. Sinclair replied to Mr. Ghent in a letter three and a half columns long, dated Pasadena, December 11th. We sent the reply to Mr. Ghent and received from him a rejoinder dated Los Angeles, January 2nd, which, as it happened, was also three and a half columns long. To give seven columns of space (in addition to all that had preceded) to a controversy of this kind was evidently a very difficult matter, and the letters did not appear until our issue of February 9th. They had, however, been in type for some time, with a view to their being used at the earliest opportunity; and prefixed to them was an editorial note explaining why we felt it necessary to devote so much space to the correspondence, but adding: "of course, however. we can print no further correspondence on this subject."

5. Mr. Sinclair's letter, presenting the new evidence to which he refers in his advertisement, reached us before the abovementioned seven column correspondence was actually published, but when it was ready to go into the paper and after we had decided that the matter must close there. We gave Mr. Sinclair's letter only the most cursory examination, and declined to print it not simply "for lack of space" but because of the whole situation as above outlined.

6. We believe that an injustice was done Mr. Sinclair in the matter of the telegram to the New York Call of which he speaks, and regret that the limitations of time and space prevented our taking up the matter.

New York City. EDITORS OF THE WEEKLY REVIEW.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Kid

THE best motion pictures, I hear, are written with the scissors. The scissors, at any rate, have a great deal to do with the triumph of Charles Chaplin in (and with) The Kid. It is a movie stripped to its emotional essentials. The result is form, in which practically all American movies are just as much lacking as are our industrial architecture, display advertising, public cooking and private conversation. In certain American institutions one does find form. Women's public meetings usually have it. The better sort of women's hats have it. So do certain kinds of house interiors and New England domestic architecture and those expositions of chamber music, baseball and tennis which have never failed of appreciation here. But the movies are usually like the Sunday newspapers, Golden Oak furniture, Yonkers carpets, the snub-nosed and stub-toed Ford car. The moviemakers have simply wallowed in the license extended by American incompetence and indulgence, knowing that a people which puts its hotels in the noise-area and its hotel kitchens in the dust-area will be content to have its movies as loud and as insanitary as its life. It has remained for Charlie Chaplin to scout this indulgence, to adopt a standard absolutely and relatively high, and to be rewarded by the gratitude of millions. For millions of harassed and dissatisfied movie-patrons are finding joy in the integrity of The Kid.

This integrity is to be enjoyed least of all in the anecdote itself. It is a silly enough story of a woman who is reunited with the child she deserted after a separation of some time and considerable space. A woman might conceivably abandon her baby in this fashion. There must be a score of abandoned babies for every few hundred abandoned women. But to fail to trace the baby at the time and yet to run into the growing child some years later —years gilded with success and yet yearning with heartache—is almost Shakespearean in its absurdity. Still, an excellent bean may be grown on the humblest of bean-poles, and that is the case with The Kid. Chaplin knows that the story of his adopted waif is a joke between the experienced movie-patron and himself. The merchantable maternal instinct and the sure-fire lost che-ild and the beautiful Lady Bountiful and the glad reunion—he glides over them with a touch like a light-beam. What he has to play with is his own gorgeous predicament as the victim of a maternal problem. He has himself to present in the role of a Madonna. It is this preposterousness, with its possibilities of bathos and vulgarity, which he brings successfully through.

He does it as only a superb interpreter could. He realizes that when he, the authentic splay-footed cane-twirling comedian, inherits the baby, he must steer his course clean away from farce in the direction of sentiment, but must keep enough comedy to correct the least hint of sentimentality. It gives him just the chance that his fine creativeness demands. With a boldness that no other comedian could attempt, he exhibits himself feeding and providing for the baby. This boldness, which he pushes far enough to earn laughter and not so far as to exploit it, he immediately banks up against his first exhibition of real feeling. And his exhibition of feeling is preserved from excess or unreality by a resourcefulness in by-play which is beautifully right. He makes a contrast between The Kid's deportment, so sternly inculcated, and his own dilapidation, which never fails to give amusement; and he carries that dilapidation to extraordinary lengths. But just as he seems to have violated taste by projecting the dirty sole of his bare foot out of bed, his head is slipped through a hole in his bedspread—converting it into so comical a dressing-gown that the very invasion of good taste is turned to grotesque account. This is only one of twenty tricks that he wins in his sly game with (or against) his audience. He plays on his audience with an audacity that conquers prig and groundling in the same instant, and gives both of them a chance to be amused and moved.

Chaplin's relations to his audience may once have been deferential. Now he is an artist who uses his medium as he wills. When he opens the sewer-trap and debates whether to slip the baby into it, he gains the credence which is only won by complete expressiveness. And his audience accepts his sincerity in this role of foster-father with precisely the shade of amusement that he artfully conveys. To dominate photography with a personality is in itself marvelous. It is all the more marvelous when one remembers that Chaplin is not a projection of the average but a variation, a sport. This violates in every detail the Philistinism which seems to be the motion-picture religion.

Without the Coogan boy it couldn't be done. It is dreadful to think of such a perfection as this child pushing out of his treble exquisiteness into something perhaps theatrical and over-stimulated and unstable. But in his present manifestation, under the hand of Chaplin, he is as expressively and imaginatively natural as if he himself had Chaplin's genius. His eyes speak, and they say not only direct and eloquent things but things indirect, troubled, complicated. And not only do his eyes speak, but so do the turn of his head, his entrances and exits, his place on a lonely door-step, or on a curb. No child that I have ever seen on the stage created so full a part before. Most of the children one sees are limited to one or two postures. They appear but do not represent. This "Kid" represents, and with a lovely mobile countenance, a countenance that is at once quite childlike and deep as an Italian masterpiece.

The dream of Heaven I thought highly amusing. What amused me was its limitedness, its meagreness. It was like a simple man's version of the Big Change, made up from the few properties with which a simple man would be likely to be acquainted. The lack of inventiveness seemed to me to be its best point. Others tell me that it was a failure of inventiveness. Mayhap. But after suffering the success of movie-inventiveness so many times, with the whole apparatus of the factory employed to turn out some sort of slick statement or other, I rejoice over this bit of thin and faltering fantasy. And I venture to believe that it represents exactly what Chaplin intended. It was the simplified Heaven of that antic sprite whom Chaplin has created and whose inner whimsicality is here so amusingly indulged.

Chaplin's lightness of touch is shown not merely in the pictures, with the sporting elimination of unnecessary detail and the occasional note of mocking sophistication. It is shown technically in the admirable insistence that the pantomime must tell the story without any particular help from the desiccated medium of words. To read titles is to impede the flow of feeling rather than to aid it. It is to distract the pictorial mind. By cutting out as many titles as possible Charles Chaplin and his company keep close to the visual, and the visual in their case is frequently the beautiful, because of the effort that has been made to represent by hieroglyphic, to eliminate and simplify. Nothing could be better than the way The Kid is launched:

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the mother's plain clothing, her Salvation Army bonnet, her listless walk, and her short brooding in that open-air cathedral of broken humanity, the city park. The quickening of pace when she sees the wealthy motor, just before it is stolen, (with her baby in it), tells everything that a world of newspaper-readers needs to know. And the discovery of the baby, its awkward removal, its abandonment in the meanest of lanes until it falls into the surprised hands of the little hobo—this is also sufficiently pointed by the expert action of the company Chaplin has wisely chosen. His wisdom, his sincerity, his integrity, all exhibited in this film, should go some way to revolutionize motion-picture production in this country. From an industry The Kid raises production to an art. An art it should be, in spite of the long-suffering public.

F. H.

Mr. Lansing's Book

The Peace Negotiations, a Personal Narrative, by Robert Lansing. New York: Houghton Mifflin Co.*

I

NOT until they had been in Paris a month did Mr. Lansing become "conscious of the fact" that the President was "no longer . . . . disposed to welcome" his advice. The date on which this revelation took place can be fixed. It was January 10, 1919. For on that day the President told the American Commissioners at the Hôtel de Crillon that he did not intend to have lawyers drafting the Treaty of Peace. As Mr. Lansing had just instructed the legal staff to prepare a skeleton treaty, as Mr. Lansing was himself the only lawyer on the Commission, he took the remark to himself, and became conscious that the President did not desire his advice.

Something undoubtedly changed at that time. For, a year later, when Mr. Wilson wrote so angrily to his Secretary of State, his mind also went back to the winter in Paris. He too recalled having become conscious of a fact. The fact of which he became conscious was "the embarrassment of feeling (M. Lansing's) reluctance and divergence of judgment." † The two men are clearly referring to the same thing. Mr. Lansing calls it Mr. Wilson's indisposition to welcome advice; Mr. Wilson calls it Mr. Lansing's reluctance to follow his direction. Something had changed because both men felt it. What was it?

Surely it was not Mr. Wilson's desire to have advice from Mr. Lansing. For if January, 1919, really marked a change, then you would expect to find in the months that preceded it that Mr. Wilson sought the kind of advice which he now rejected. But that is just what you do not find. Everything in Mr. Lansing's book goes to show that the rough treatment he received in Paris was the same treatment he had usually received where the objects and settlements of the war were concerned.

To be sure, Mr. Wilson was rude on January 10th, but anyone less generous than Mr. Lansing would hardly have called him considerate before that date. After all, Mr. Lansing *was* the Secretary of State, and next to the President the chief commissioner plenipotentiary. He went to Europe to negotiate a peace, the central object of which was a league of nations. And yet he went aboard ship never having been shown a copy of the President's plan, never having been told by the President that one existed in writing. The first time he ever saw the plan was the day it was sent to the printer in Paris. Now really. A good many men would, I think, have imagined at least a month earlier that their advice was not eagerly sought. Some would have suspected it sooner, for on September 27, 1918, says Mr. Lansing, "after the President's exceptionally strong address . . . . I realized the great importance which he gave to the creation of a League. . . . Knowing that the President had been in consultation with Colonel House. . . . I asked the latter what he knew about the former's scheme . . . . the Colonel discreetly avoided disclosing the details, but from our conversation I gained an idea . . . ." A more suspicious man than Mr. Lansing would from this picture of how a President may be on intimate terms with his Secretary of State, have known in September what Mr. Lansing knew in January.

He could, of course, have known it even earlier. But September was early enough to have declined an appointment bound to humiliate him and embarrass the President. I can understand all of Mr. Lansing's reasons why, once in Paris, he signed a treaty in which he profoundly disbelieved. I cannot understand why he ever went to Paris when the falsity of his position was so notorious. It was a curious conception of public service, gravely to embark on the most momentous diplomatic affair of a century without any understanding whatsoever with his chief, and not only without an understanding, but with knowledge that the facts were being withheld from him.

A Secretary of State and a Peace Commissioner who is still guessing two weeks before the Peace Conference assembles as to what he is to support, who writes important letters to his chief and can't even draw an acknowledgment, is forbearing beyond all precedent. Mr. Lansing played the farce to the bitter end. For six months or more he sat at the Hôtel de Crillon, ignorant of what was being decided, impotent and disregarded; in the end he signed dutifully on the dotted line a treaty which he believed "legalized the mastery of might" and "revived the doctrine" which the war was fought to destroy; a treaty so full of the "seeds of war" that "the league might as well attempt to prevent the growth of plant life in a tropical jungle."

II

Let us now look at the matter from Mr. Wilson's point of view. Beginning as early as 1915 he had gradually evolved a conception of the peace which superficially at least was acclaimed by practically the whole world. It contained, as Mr. Lansing knew, a guarantee of force, but until well into 1919 that guarantee had always been contingent in Mr. Wilson's speeches upon the negotiation of an intrinsically durable peace. Mr. Wilson may have been wrong in his idea of what a durable peace was, but surely he can hardly have been wrong in thinking that the wisdom of a guarantee depends on what is to be guaranteed. At the time the guarantee was Number Fourteen and was preceded by thirteen other articles. It was to exist in the context of a certain kind of peace, and in no other.

Until April, 1919, this was Mr. Wilson's cardinal idea.

---

*The reviewer wishes to acknowledge the courtesy of the Houghton Mifflin Company in supplying him with an advance copy of Mr. Lansing's book. In order to comply with the release date, no copy of this issue of the New Republic can be sold before Friday, March 25th.

† Letter of February 11th, 1920.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

He expressed it before America entered the war, saying that "so far as our participation in guarantees of future peace is concerned, it makes a great deal of difference in what way and upon what terms (the war) is ended." He stood on this ground for the last time in the statement about Fiume. Always until then he had argued that the American guarantee should be withheld unless the peace is "worth guaranteeing and preserving" and is something more than a treaty which "will serve the several interests and immediate aims of the nations engaged." To put the whole matter concretely, he was ready to underwrite a peace that comported with the public statements of the Allied governments, but not a peace that was based upon their secret engagements.

To be sure, the President said in his conference with the Senators that he did not know the secret treaties until he went to Paris. That statement an historian will have to overlook. For the whole diplomatic policy of the President covering the Fourteen Points and "subsequent addresses" is not only unintelligible without a knowledge of those treaties, but it is inconceivable. Standing by themselves the Fourteen Points seem vague. But next to the secret treaties they are amazingly definite on the most crucial items. And those items were clearly explained to the Allied statesmen by our government before the Fourteen Points were embodied in the armistice.

Mr. Lansing knew even before the United States entered the war that the President had "adopted an affirmative guarantee against aggression as the cardinal provision of the Treaty (p. 35). Mr. Wilson knew that his Secretary of State was "uniformly opposed to the idea" (p. 37). Mr. Lansing had written to the President as early as May 25, 1916, and had had conversations with him "prior to 1918." Nevertheless Mr. Lansing was appointed commissioner on November 22, 1918, and was not consulted by the President previous to their departure for Paris on December 4, 1918 (p. 37). Thus on what Mr. Lansing calls *"the* cardinal provision" and what Mr. Wilson calls the heart of the League, there was not only no meeting of minds, but a conflict of minds.

Neither man faced this frankly. Instead of talking the matter through to an issue, Mr. Lansing decided that it was not "politic to try to persuade the President." Therefore he "openly approved," being guided "chiefly by expediency rather than by principle" (p. 46). On board ship Mr. Lansing had an hour's interview with the President, in which he gathered that the President's purpose was fixed. In Paris Mr. Lansing decided that it was "wise to indicate a sympathetic attitude toward the idea" (p. 50). Without having seen the text of the President's proposal, he therefore proposed a modified guarantee (p. 54). The President never acknowledged the letter, and never mentioned it. Two weeks later Mr. Wilson had returned from his Italian tour and there was a conference of the American Commissioners. Mr. Lansing handed him a draft of the modified guarantee. Mr. Wilson took it "without comment and without making any reference to my unanswered letter" (p. 62).

Whether or not Mr. Lansing's ideas were better than Mr. Wilson's may well be discussed. The subject was not discussed by Mr. Wilson and Mr. Lansing. Long before they embarked notice had been served that they would not be discussed. Those were the terms on which Mr. Lansing went to Paris. And I can well believe that in view of Mr. Lansing's acceptance, Mr. Wilson regarded this cardinal point as settled. Perhaps Mr. Wilson would have done better to listen. But having made it plain that he would not listen, there is nothing surprising in the fact that he did not listen. Mr. Wilson had made the bed. Mr. Lansing had lain in it for months. And suddenly at the eleventh hour he did not wish to lie in it. In December of 1918 Mr. Lansing tried to become the kind of Secretary of State he had never been before.

III

Both men were sufficiently forewarned. Mr. Lansing knew long before he sailed that he was not in the President's confidence, and that he did not agree with the President's purposes. Mr. Wilson knew, before he appointed Mr. Lansing, that he did not care about the advice of his Secretary of State, and that on fundamentals they were at cross-purposes.

Undoubtedly Mr. Wilson imagined that it would create less talk if he took Mr. Lansing along. Undoubtedly he imagined that Mr. Lansing would not mind being ignored in Paris, as he had not minded being ignored in Washington, and that somehow they would muddle along. But Mr. Lansing began to mind. Mr. Wilson miscalculated still more seriously. In ignoring Mr. Lansing he had ignored the diplomatic service, and in ignoring that, he had deprived his policy of effective agencies for realizing it. Mr. Wilson formulated ideals at the White House. In a well organized government those ideals would have been the law of every embassy, and would in turn have been supplemented and corrected by the reports of our diplomats in the field. But poor Mr. Lansing was an almost perfect non-conductor. Consequently there was no relation between Mr. Wilson's ideals and the American diplomatic service. The ideals never became a program, never received any concerted support through the regular channels. And therefore when Mr. Wilson went to Paris, his position was unlike that of the English, French, Italian or Japanese delegates. They worked in and with a great officialdom, in some cases marvelously coordinated. Mr. Wilson worked alone with the casual help of a few favorites. The whole expensive diplomatic machinery lay there inert and unused.

It was unused chiefly because by that time it was unusable. The head of the machine, Mr. Lansing, had not prepared it for any useful function. How could he? He had not been told, and had not himself conceived, what that function was to be. And so the State Department and the embassies ran along aimlessly in the old grooves, as appalling an exhibit of inefficiency as was revealed by any department of government during the war.

IV

Mr. Lansing is a temperate man, and he has written almost without bitterness an account that is none too flattering to himself. If the humor of the affair struck him he does not exploit it except in one place. There he has risen to the occasion in a dry and unobtrusive manner. The frontispiece is a photograph of "The American Peace Delegation at Paris." In the centre sits President Wilson, on his right Mr. Lansing and Mr. House, on his left Mr. White and General Bliss. On page 256 is another photograph entitled "The Daily Conference of the American Peace Commission." This time Mr. Lansing sits in the centre, Mr. White on the right, General Bliss on the left, Mr. Christian Herter just behind.

But if Mr. Lansing was an outsider, he was a privileged outsider with a good front seat. His recent article in the Saturday Evening Post reveals him as a rather acute observer. On the question of Shantung, General Bliss, Mr.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

White and he made an ineffective but highly honorable protest. Though he does not mention it, he made an effective and honorable protest against certain aspects of the war criminals business. He has given the most revealing account of the Fiume episode so far written by an American. Yet it is plain from his account that he could tell more if he wished. On a variety of matters, such as the wisdom of the President's becoming a delegate, the planlessness of the delegation, the concrete evils of secret diplomacy, the autocratic composition of the League, and the desirability of a prompt preliminary peace, his comments are illuminating and worthy of careful attention. Many who were at Paris, and many who were not, will agree with his judgment on some or all of these matters. But for me his wisdom on these points cannot be taken at its face value. It has to be considered in the light of Mr. Lansing's acceptance of and acquiescence in a position that stultified all his judgments.

V

There is a lesson in this melancholy record of an amiable man. It is not merely a demonstration of what planless administration costs, though that lesson is written all over the affair. It is something deeper, something in the American political tradition. And that is the almost total inability of Americans to decline an appointment or to resign a post. Mr. Lansing did not know how to decline or how to resign. Yet if democracy is to work men must learn how to do both. When they take a position it must be on some agreement about what they are to do with it. And when they are not able to do that, they must learn to give the office up without scandal. That is very simple and very important. It goes deep. For once you approach public office in that spirit, the office ceases to be a place and becomes a function. So inverted is our tradition, that when a man resigns everybody wonders whether he is disloyal. Yet what could be more disloyal than to work at cross-purposes with the administration to which you belong, or to abandon your convictions about what is right? The true doctrine of public service, surely, is perfectly frank agreement when agreement exists, and perfectly frank disagreement when that is necessary. Only then does anyone know where he is at.

What sense is there in having a Secretary of State totally at odds with his chief, when he could clear up the whole matter before the mischief is done by offering his resignation? It is only because so few men ever resign on principle, that all resignations seem an intolerable scandal. It is not so in other countries, in England, for example. There men manage to resign without feeling, as Mr. Lansing did, that by their departure they would wreck the peace of the world.

The ultimate reason why American officials find it so hard to resign is that we have in our form of government no official opposition. One day you are at the pinnacle. The next day you are back in Lincoln, Nebraska, with nothing to do. One day your every word counts. The next day you are considering how to make a living at the bar. It is a case of everything or nothing, it or nit. And so men think twice, and then think again, and find reasons of the highest public order for not passing from greatness into obscurity. If they did not pass out of public life, but only into the opposition, perhaps they would not cling so grimly to their jobs.

WALTER LIPPMANN.

The New Spirit

The New Spirit, by Havelock Ellis. The Modern Library. New York: Boni & Liveright.

IT is a pleasure to see this excellent book reprinted. Havelock Ellis isn't a rambunctious critic. He never raises his voice and he seldom permits himself to laugh, but though his language is moderate and his irony subdued, he isn't one of those critical weeping willows that turn the garden of literature into a cemetery. For all his austere manner and his style endimanché he has a wide and steadily searching mind. His word "new" does not mean novel or fashionable. It really means revolutionary. And when Havelock Ellis looks backward to the "old" he isn't thinking of the age when New York had steam-engines on its Elevateds. He is thinking of the time when man was literally up a tree. "The greatest manifestation of the new spirit that I know of took place long since in the zoological history of the race when the immediate ancestor of man began to walk on his hind legs, so developing the skilful hands and restless brain that brought sin into the world. That strange and perilous method of locomotion—which carried other diseases and disabilities in its train, more concrete than sin—marked a revolutionary outburst of new life worth contemplating."

It is for similar "outbursts" that Havelock Ellis searched the literary horizons thirty years ago, and composed his New Spirit. Diderot is the first name in it, chosen as a precursor of detested romanticism, with Heine and Whitman and Ibsen and Tolstoi and Huysmans to follow. But romanticism is not the theme of Ellis's book. The deep-down underlying theme is something to which he gives the name religion—perhaps as good a name as any. But by religion he doesn't mean the activities of Mr. Blue Law. He doesn't mean a "force on the side of repression." He means instead a force that exalts and liberates us, lifts us above the rim of the ego that cups us in. This is vague, but he tries to give it biological definition. "Whenever an impulse from the world strikes against the organism, and the resultant is not discomfort or pain, not even the muscular contraction of strenuous manhood, but a joyous expansion or aspiration of the whole soul—there is religion." A broad definition, into which may fit almost anything aesthetic. "De Hooge, by means of mere sunlight and the rubbish of a back-yard, awakes in us an enlarging thrill of joy." Van Gogh does it without even sunlight. The "enlarging thrill of joy" is the essence of religion for Havelock Ellis, and this he celebrates in the New Spirit.

There is a trace of the soulful about it. The Gods seem to be own cousins of Edward Carpenter and James Hinton. But at the centre of Havelock Ellis there is a vigorous conception that "religion cannot live nobly without science or without morals. It is only by a strenuous devotion to science, by a perpetual reference to the moral structure of life, that religion—so made conscious of its nature and its limits—can be rendered healthful." He says this more than once. "We cried for the moon for so many thousand years before we conquered the world. We know at last that it must be among our chief ethical rules to see that we build the lofty structure of human society on the sure and simple foundations of man's organism."

Those "sure and simple foundations" are, of course, still bitterly in dispute. Where some agree that the "rational disgust which was once held to be common property has re-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ceived from science its death-blow," others are more full of pudor than Victoria herself. What are the foundations of man's organism? Has Walt Whitman really annunciated "the sense of purity"? If one got to the root of conservative criticism in America, in Paul Elmer More and Professor Babbitt as well as in Stuart Sherman, I think there would be found more reservations on this whole business of "man's organism" than on anything else. Disgust is still considered ethically splendiferous. That is why Rousseau and George Moore are anathema, and why if Walt Whitman is accepted he is immediately ticketed as a Puritan. But while Havelock Ellis does not define stringently in these matters, it is enough to say that he leads the discussion along a path where the healthy-minded can hardly fail to follow him, and he does so with that combination of enthusiasm and tolerance which is so rare in a man of his sensitiveness.

Perhaps this can best be illustrated by two quotations. The first contains a definition of art. The second passes judgment on the "decadent" Huysmans.

"The road to the Kingdom of Heaven, as it was well said of old time, is narrow, and blessed are they who, having reached it, stay but a little while! To drink deep of that cup is to have all the motor energies of life paralyzed. Art remains to give us the same joy and refreshment, in more various, wholesome and acceptable forms. For art is nothing less than the world as we ourselves make it, the world re-molded nearer to the heart's desire. In this construction of a world around us, in harmonious response to all our senses, we have at once a healthy exercise for our motor activities, and the restful satisfaction of our sensory needs. Art, as no mere passive hyperaesthesia to external impressions, or exclusive absorption in a single sense, but as a many-sided and active delight in the wholeness of things, is the great restorer of health and rest to the energies distracted by our turbulent modern movements. Thus understood, it has the firmest of scientific foundations; it is but the reasonable satisfaction of the instinctive cravings of the organism, cravings that are not the less real for being often unconscious. Its satisfaction means the presence of joy in our daily life, and joy is the prime tonic of life. It is the gratification of the art-instinct that makes the wholesome stimulation of labor joyous; it is in the gratification of the art-instinct that repose becomes joyous."

How does a man with such a creed respond to the complexities of Huysmans? "Huysmans very exquisitely represents one aspect of the complex modern soul, that aspect which shrinks from the grosser forces of Nature, from the bare simplicity of the naked sky or the naked body, the 'incessant deluge of human foolishness,' the eternal oppression of the commonplace, to find a sedative for its exasperated nerves in the contemplation of esoteric beauty and the difficult search for the mystic peace which passes all understanding. . . . We see them on every hand, occultism, theosophy, spiritualism, all those vague forms on the border land of the unknown which call to tired men weary of too much living, or never strong enough to live at all, to hide their faces from the sun of nature and grope into cool, delicious darkness, soothing the fever of life. It is foolish to resent this tendency; it has its rightness; it suits some, who may well cling to their private dream if life itself is but a dream. At the worst we may remember that, however repugnant such movements may be, to let fall remains a better way of putting Satan to flight than to cast away. And at the best one should know that this is part of the vital process by which the spiritual world moves on its axis, alternating between darkness and light."

This is magnificent, especially from a man who is mainly and fundamentally interested in the "new"—the influence of science, the influence of feminism, the influence of democracy. It is an example of his unfailing urbanity, an urbanity which shows that the golden fruits of the scientific spirit are really "sincerity, patience, humility, the love of nature and the love of man."

A new book on the New Spirit would be worth having, analyzing Freud, Shaw, Hardy, Chekhov, the Jameses, Meredith, Wells, Romain Rolland, Nexö, Gorky. Also Cézanne, Van Gogh, Strauss, and—as Ellis said in the preface to the third edition (why omitted?)—Rodin and Wagner. But it would only be an amplification of this splendid essay which already saw forward to the dissolution of the middle-class state, the antiquation of war, the growth of social organization, the end of the British Empire and the beginning of education.

F. H.

Selected Current Books

Our Southern Highlanders, by Horace Kephart. Macmillan.

A new edition of the book that grew out of Mr. Kephart's three years in the Carolina mountains.

The Menace of the Mob, by Dmitri Merejkovski. N. L. Brown.

A book of essays, including a sketch of Anatole France, looking to the day "when Christ shall rise again."

The Direction of Human Evolution, by Edwin Grant Conklin. Scribners.

The "paths and possibilities of human evolution," with its bearing on democracy and religion. The author is professor of biology at Princeton.

The Voice of Jerusalem, by Israel Zangwill. Macmillan.

Mr. Zangwill interprets the Jew, with the origins of anti-Semitism, in nineteen chapters.

Contributors

Lytton Strachey. See Editorial on Page 125.

Sidney Howard is a graduate of the University of California, where he was a student under Carleton H. Parker. He served with the American Ambulance in France and the Balkans a year before the United States entered the war. He afterwards held the rank of Captain in the U. S. Air Service, and was Flight Commander of the 20th Aero Squadron. He brought down three German planes and was decorated with the Croix de Guerre and the D. S. C.

Edward G. Lowry was formerly Managing Editor of the New York Evening Post. He served in the diplomatic and military service of the United States during the war.

John Foster Dulles is a member of the New York Bar, who specializes in international work. He was a member of the Hague Peace Conference in 1907, and during the recent Paris Peace Conference he was Legal Advisor on economic and financial matters. He was a member of the Supreme Economic Council, and was for some months the principal American delegate of the Reparation Commission as provisionally formed after the signature of the Treaty of Versailles.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED